United Nations S/2008/826

Security Council

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29 December 2008

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Letter dated 23 December 2008 from the Secretary-General to the President of the Security Council

I have the honour to write to you regarding the support to my Special Envoy for the Lord's Resistance Army (LRA)-affected areas, Joaquim Alberto Chissano, the former President of Mozambique. As you will recall, on 21 November 2007, I had proposed, and members of the Security Council had subsequently agreed, that the mandate of the temporary Liaison Office should be extended and his Office upgraded to a special political mission for the Special Envoy for the LRA-affected areas in Uganda for a period of one year through 31 December 2008 (see S/2007/719). This was to enable my Special Envoy to move the peace talks forward until their completion.

In March 2008, the Chief Mediator, Riek Machar Teny, Vice-President of the Government of Southern Sudan, and Mr. Chissano helped the parties successfully conclude their negotiations and sign agreements on all the various agenda items. However, regrettably, the leader of LRA, Joseph Kony, has yet to sign the final peace agreement which provides the capstone for the various agreements. His most recent failure to sign the final peace agreement has resulted in the launching by the Democratic Republic of the Congo, Uganda and Southern Sudan of joint military action against his camps in eastern Democratic Republic of the Congo. I am told that this military action is intended not to derail the peace process, but rather to pressure Joseph Kony into assembling, with his rebel forces, in Ri-Kwangba (Southern Sudan), and signing the final peace agreement.

It is possible, therefore, that the political process, suspended in early December by the Chief Mediator, may resume shortly. The Government of Uganda remains committed to the continuation of the peace process, and the door remains open for Joseph Kony to sign the final peace agreement. Meanwhile, as a direct result of the successes in the peace process so far, security has returned to northern Uganda, economic activities are gradually being resumed, and internally displaced persons have returned home. It is important, therefore, that my Special Envoy continue, on my behalf, his good offices in the region with the support of the Office in Kampala.

The mandate of the Office of my Special Envoy will expire at the end of this month. I recommend, therefore, that the mandate be extended for an additional year, until 31 December 2009, to allow my Special Envoy to continue his efforts towards achieving a durable peace in northern Uganda. Should the Security Council agree to extend the special political mission through 31 December 2009, it would inherit the existing mandate.

08-67107 (E) 291208

The Office would continue to perform the following activities: (a) assist the Special Envoy in developing a relationship of mutual trust among the parties and the mediation and in building their confidence in the political process; (b) assist the Special Envoy in coordinating the efforts of the regional players, donors and civil society organizations involved; (c) follow up on the peace talks on behalf of the Special Envoy and promote a peaceful agreement between the Government of Uganda and LRA through the support of the African ambassadors; (d) coordinate the activities of the five African ambassadors/guarantors of the peace process; (e) serve as a focal point for the Special Envoy's regional activities, including the coordination of all international activities in support of the talks; (f) liaise with all stakeholders in Uganda and in the region; (g) monitor and analyse internal and regional political and security developments in Uganda and neighbouring countries; (h) coordinate the activities of the unit in Juba; and (i) maintain close consultation with the United Nations Organization Mission in the Democratic Republic of the Congo and the United Nations Mission in the Sudan on security and military issues in connection with the Special Envoy's mandate.

(*Signed*) **Ban** Ki-moon

United Nations S/2008/827

Security Council

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Letter dated 29 December 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 23 December 2008 (S/2008/826), concerning your recommendation that the mandate of the temporary Liaison Office of your Special Envoy for the Lord's Resistance Army (LRA)-affected areas, which expires on 31 December 2008, be upgraded to a special political mission for the Special Envoy for the LRA-affected areas in Uganda and be extended through 31 December 2009, has been brought to the attention of the members of the Security Council. They take note of the information and recommendation contained in your letter.

(*Signed*) Neven **Jurica**
President of the Security Council

08-67113 (E) 291208

United Nations A/ES-10/429–S/2008/828

General Assembly
Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 29 December 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

This is our second letter in less than two days confirming our absolute condemnation of Israel's criminal military campaign against the Gaza Strip in the Occupied Palestinian Territory. For three days, Israeli fighter jets have pounded hundreds of targets across the Gaza Strip, killing over 300 Palestinians and injuring almost 1,500 others. Gaza is no longer on the brink of disaster; it is living that disaster, which Israel, the occupying Power, has imposed on the one and a half million Palestinians it has imprisoned, starved, and tormented in Gaza under false and sinister pretexts.

We welcomed the statement of the Security Council calling for an immediate cessation to the unprecedented violence in Gaza, which was echoed in the statement of the Secretary-General issued yesterday and in that of the President of the General Assembly issued on 27 December, as well as similar international calls for an end to the bloodshed. However, the Palestinian leadership believes that additional and urgent steps need to be taken in the light of the alarming situation on the ground and given Israel's persistence in carrying out its brutal aggression in Gaza despite those calls.

Since those statements, the civilian population in Gaza has been living in constant horror, caught in an aggression that has turned every corner in the besieged strip into a target and transformed the homes of unsuspecting civilians into death traps. That was the tragic case of the Balusha family in the Jabalia refugee camp, where five girls were buried under the rubble of their home when a mosque targeted by Israeli missiles came crashing down on their home while they were sleeping.

Hospitals also have not been spared. Several hospitals have sustained heavy damage from Israeli bombardment carried out in utter disregard of internationally safeguarded positions, which has also included schools, houses of worship, universities, prisons and other institutions. These hospitals are facing diminishing

08-67095 (E) 301208

supplies of crucially needed medicines and blood units because of the Israeli siege and are overwhelmed by the sheer number of casualties flooding their wards.

Israel has also introduced a new level of purely civilian targets to its long hit list in Gaza, targeting Gaza's Islamic University, schools, medical warehouses and paramedics. These flagrantly illegal and criminal acts must be condemned in the strongest terms and brought to an immediate end. The international community must not tolerate such perpetration of crimes and must come to bear its responsibility by enacting consequences for these crimes, lest it be a partner in further entrenching Israel's shameless impunity.

Israel's massive air strikes against targets in the densely populated Strip have also killed UNRWA trainees and staff members, including some who were inside an UNRWA facility. We strongly condemn those and all other brutal killings of innocent civilians. That is why we urge the Security Council to take immediate and effective action to uphold its standing responsibilities in accordance with the Charter and put an end to this bloodbath.

At the same time, we must not forget that Israel, as an occupying Power, has standing legal and moral obligations to protect the Palestinian civilian population and to ensure that they have full access to vital services. The High Contracting Parties to the Fourth Geneva Convention have a clear obligation to ensure that Israel fully abides by these responsibilities. Yet, Israel is violating all these obligations with impunity. Anything short of concrete action will only serve to encourage Israel to continue acting with impunity and in utter disregard of the principles and provisions of international law.

This letter is in follow-up to our previous 324 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 27 December 2008 (A/ES-10/428-S/2008/819), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice. (As all the victims have not yet been identified, their names will be included in an annex to a future letter.)

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine

United Nations S/2008/829

Security Council

Distr.: General
31 December 2008

Original: English

Letter dated 31 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, containing an account of the Committee's activities from 1 January to 31 December 2008 (see annex). The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Jan **Grauls**
Chairman
Security Council Committee established pursuant to
resolution 1572 (2004) concerning Côte d'Ivoire

08-67171 (E) 060109

Annex

Report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire covers the period from 1 January to 31 December 2008.

2. For 2008, the Bureau consisted of Johan C. Verbeke (Belgium) as Chairman, and the delegations of Italy and South Africa as Vice-Chairmen (S/2008/2). On 4 June 2008, Jan Grauls (Belgium) replaced Mr. Verbeke as Chairman of the Committee (S/2008/366).

II. Background

3. The Security Council, by its resolution 1572 (2004) of 15 November 2004, imposed an arms embargo, with immediate effect, as well as travel restrictions and an assets freeze on designated individuals and entities, to take effect on 15 December 2004.

4. By paragraph 14 of resolution 1572 (2004), the Council established a Sanctions Committee: (a) to designate and make public a list of individuals and entities subject to the targeted measures; (b) to seek information from States and entities on their implementation of the measures; (c) to consider and decide upon requests for exemptions to the arms embargo and other targeted measures; (d) to promulgate guidelines for the conduct of the Committee's work; and (e) to report to the Council regularly on its work, with its observations and recommendations, on ways to strengthen the effectiveness of the measures.

5. By its resolution 1584 (2005), the Security Council authorized the United Nations Operation in Côte d'Ivoire (UNOCI) and the supporting French forces to monitor the arms embargo imposed by the Council in resolution 1572 (2004), which required all States to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire of arms or any related materiel as well as the provision of any assistance, advice or training related to military activities.

6. By its resolution 1584 (2005), the Security Council also requested the Secretary-General, in consultation with the Committee, to create a group of experts to, inter alia, examine and analyse the information gathered by UNOCI and the French forces in the context of their respective monitoring mandates; gather and analyse all relevant information in Côte d'Ivoire, countries of the region and, as necessary, in other countries, on violations of the arms embargo; and consider and recommend ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the measures imposed. On 23 September 2005, the Group of Experts submitted its report (S/2005/699) to the Committee, and on 18 October 2005, by resolution 1632 (2005), the Council extended the Group's mandate until 15 December 2005, pursuant to which, on 29 November 2005, the Group submitted its update report (S/2006/204) to the Committee.

7. By its resolution 1643 (2005), the Security Council renewed the arms embargo, as well as the travel ban and the assets freeze imposed, respectively, by paragraphs 9 and 11 of resolution 1572 (2004). By paragraph 6 of resolution 1643 (2005), the Council imposed an embargo on the import of all rough diamonds from Côte d'Ivoire. By paragraph 9 of the same resolution, the Council requested the Secretary-General to establish an expanded Group of Experts for six months with the additional task of monitoring the embargo on diamonds. The Group of Experts submitted its report to the Committee on 16 August 2006 (S/2006/735).

8. By paragraph 4 of resolution 1643 (2005), the Council decided that any obstacle to the freedom of movement of UNOCI and the French forces, or any attack on or obstruction to the action of UNOCI, the French forces, the High Representative for the elections or of the International Working Group constituted a threat to the peace and national reconciliation process for the purposes of the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004).

9. On 14 September 2006, by resolution 1708 (2006), the Security Council extended the mandate of the Group of Experts until 15 December 2006 and requested the Group to submit a brief written update to the Council through the Committee before 1 December 2006 on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005), with recommendations in that regard. The Group of Experts submitted its update report to the Committee on 27 November 2006 (S/2006/964).

10. On 15 December 2006, by resolution 1727 (2006), the Council renewed until 31 October 2007 the arms embargo, travel and financial sanctions as well as the embargo on the import of all rough diamonds originating in Côte d'Ivoire. By paragraph 7 of the same resolution, the Council decided to extend the mandate of the Group of Experts for a further six months. The Group was requested to report to the Security Council in writing before 15 June 2007, through the Committee, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 11 June 2007 (S/2007/349).

11. On 20 June 2007, by resolution 1761 (2007), the Security Council decided to extend the mandate of the Group of Experts, as set out in resolution 1727 (2006), until 31 October 2007. By paragraph 2 of the same resolution, the Council requested the Group of Experts to submit a written update to the Council, through the Committee, before 15 October 2007 on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 21 September 2007 (S/2007/611).

12. On 29 October 2007, by resolution 1782 (2007), the Security Council renewed until 31 October 2008 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). By paragraph 8 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2008. The Council requested the Group of Experts to provide a midterm report to the Committee by 15 April 2008 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations

in that regard. The Group of Experts submitted its midterm report to the Committee on 20 March 2008 (S/2008/235) and its final report on 15 September 2008 (S/2008/598).

13. On 29 October 2008, by resolution 1842 (2008), the Security Council renewed until 31 October 2009 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). By paragraph 10 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2009. The Council requested the Group to provide a midterm report to the Committee by 15 April 2009 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard.

III. Summary of the activities of the Committee

14. In the course of 2008, the Committee held five informal consultations (27 February, 9 April, 27 June, 19 September and 8 October).

15. On 20 March 2008, the Group of Experts submitted its midterm report (S/2008/235) to the members of the Committee. Subsequently, the Group presented the midterm report to Committee members during the Committee's informal consultations on 9 April 2008. At the same meeting, Committee members also discussed the observations and recommendations contained in the report. During the consultations of the Security Council on 29 April 2008, the Chairman briefed the members of the Council on the main findings contained in the report and on the Committee's discussions of the Group's report and its recommendations. Following up on the report's recommendations, the Committee dispatched letters on 8 and 15 May 2008 to the Permanent Representatives of Côte d'Ivoire and Ghana to the United Nations, the Under-Secretary-General for Peacekeeping Operations and the Chairperson of the Kimberley Process, drawing their attention to relevant paragraphs contained in the Group's midterm report. Furthermore, on 16 May 2008 the Committee transmitted a note verbale to all Member States drawing their attention to relevant paragraphs contained in the Group's midterm report and transmitting the list of sanctioned individuals. Subsequently, the Committee received replies to its letters from the Under-Secretary-General for Peacekeeping Operations on 2 June and from the Chairperson of the Kimberley Process on 16 September 2008. On 18 July 2008, the Committee received a response from Ghana to its note verbale.

16. On 16 June 2008, the Committee approved an arms embargo exemption request pursuant to paragraph 8 (e) of resolution 1572 (2004).

17. On 15 September 2008, the Group of Experts submitted its final report (S/2008/598) to the members of the Committee. Subsequently, the Group presented the final report during the Committee's informal consultations on 8 October 2008. At the same meeting, Committee members also discussed the observations and recommendations contained in the report. During the Security Council's consultations on 27 October 2008, the Chairman briefed the members of the Council on the main findings contained in the report and on the Committee's discussions of the Group's report and its recommendations. Following up on the report's

recommendations, the Committee dispatched letters on 11 November 2008 to the Permanent Representatives of Belgium, Burkina Faso, Côte d'Ivoire, France, Israel and Mali as well as to the Chairperson of the Kimberley Process and the Under-Secretary-General for Peacekeeping Operations, drawing their attention to relevant paragraphs contained in the Group's final report. Furthermore, on 31 October 2008 the Committee sent a note verbale to all Member States drawing their attention to relevant paragraphs contained in the Group's final report and transmitting the list of sanctioned individuals. Subsequently, the Committee received replies to its letters from Belgium on 4 December and from the Under-Secretary-General for Peacekeeping Operations on 10 December 2008.

18. On 21 October 2008, pursuant to a letter from the Coordinator of the Group of Experts, the Committee updated the list of individuals subject to the travel ban and assets freeze imposed by paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 4 of resolution 1643 (2005). On 21 October 2008, the Committee transmitted a note verbale to all Member States informing them of the particular sections of the list that had been updated, and on 22 October 2008 the Committee issued a press release concerning the updating of the list (SC/9479).

19. On 1 December 2008, the Committee dispatched a note verbale to all Member States in connection with the adoption of Security Council resolution 1842 (2008).

20. During the reporting period, the Committee considered 10 monthly arms embargo and media monitoring reports, which are prepared by UNOCI in accordance with paragraphs 2 and 9 of resolution 1584 (2005) and paragraph 6 of resolution 1572 (2004). The Committee also considered four quarterly UNOCI human rights reports.

21. On 30 October 2008, the Committee received a report from Mali on the implementation of Security Council resolutions 1572 (2004) and 1643 (2005).

IV. Violations and alleged violations of the sanctions regime

22. In its midterm report of 20 March 2008 (S/2008/235), the Group of Experts on Côte d'Ivoire observed that it had gathered credible information indicating that since the establishment of the sanctions regime by the Security Council in November 2004, members of the Defence and Security Forces of Côte d'Ivoire (FDS-CI) and the Defence and Security Forces of the Forces nouvelles (FDS-FN) had been receiving training related to military activities in other Member States in violation of paragraph 7 of Security Council resolution 1572 (2004).

23. In its final report of 15 September 2008 (S/2008/598), the Group of Experts on Côte d'Ivoire stated that it was unable to conclude whether any importation of military equipment in violation of the sanctions regime had been made by the two former belligerent parties. In the course of its visits to the different regions of the country, however, the Group had gathered several indications, without being in a position to verify such information, suggesting that movements of small volumes of weapons had occurred. According to the Group, the frequency of such indications suggested that the possibility of violations could not be entirely excluded. The Group also expressed concern regarding the lack of effective disarmament of militias and ex-combatants of the Forces nouvelles. Furthermore, in both the

midterm and final reports, the Group of Experts expressed concern regarding the lack of inspections by UNOCI of sites held by the Republican Guard.

24. In the area of customs, the Group of Experts believes that the best way to enforce the sanctions regime is through a focused interdiction of any potential sanctions-related goods at the time of importation. With regard to transit cargo specifically, the Group concluded that transit goods were inadequately monitored by the Ivorian Customs authorities, which posed a significant risk for the potential importation and diversion of sanctioned cargo. The Group recommended that the monitoring efforts of UNOCI be strengthened through the introduction of a significant number of international Customs officers with sanctions experience into the mission's embargo cell component.

25. With regard to the diamond sector, the Group of Experts noted that considerable mining activity had taken place in the Séguéla region of northern Côte d'Ivoire. The Group also reported that the Kimberley Process had conducted a technical examination of the diamonds that had been seized by Malian Customs authorities at the airport of Bamako in December 2007. That examination had confirmed the Ivorian origin of the diamonds. The Group further presented a number of case studies to illustrate the alleged illicit export of Ivorian rough diamonds through neighbouring countries (Guinea, Mali) and trading markets (Belgium, Israel, United Arab Emirates).

26. In connection with the individual sanctions, the Group of Experts determined that a number of violations of the assets freeze had occurred.

V. Observations and conclusions

27. The primary responsibility for the implementation of the measures imposed by the Security Council rests with Member States. For its part, in facilitating and monitoring the implementation of the relevant measures, the Committee has greatly benefited from the information provided by the Group of Experts on Côte d'Ivoire, UNOCI and other sources, which have proved to be a useful tool in deciding upon appropriate actions. The Committee remains committed to discharging its mandate as effectively and as efficiently as possible.

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Security Council

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Letter dated 31 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1718 (2006) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1718 (2006) (see annex), which covers the Committee's activities during the period from 1 January to 31 December 2008. This report is submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

(*Signed*) Giulio **Terzi di Sant'Agata**
Chairman
Security Council Committee established pursuant to
resolution 1718 (2006)

08-67321 (E) 060109

Annex

Annual report of the Security Council Committee established pursuant to resolution 1718 (2006)

1. The present report of the Security Council Committee established pursuant to resolution 1718 (2006) covers the period from 1 January to 31 December 2008.

2. For 2008, the Bureau consisted of Marcello Spatafora (Italy), until 31 July, and Giulio Terzi di Sant'Agata (Italy), from 22 August, as Chairmen, with the delegations of Costa Rica and the Libyan Arab Jamahiriya providing the two Vice-Chairmen.

3. In the reporting period, the Committee had been ready to meet with such frequency as was necessary to carry out its duties effectively.

4. In discharging its mandate, the Committee was guided by paragraph 12 of Security Council resolution 1718 (2006). Since 1 January 2008, no information relevant to the implementation of its mandate has been brought to the attention of the Committee.

5. As of 31 December 2008, the Committee had received replies from 73 countries and 1 organization (European Union) to its note verbale of 1 November 2006, concerning the implementation of resolution 1718 (2006) (see enclosure). Replies are issued as documents of the Committee and are also accessible electronically at the Official Document System of the United Nations and on the Committee website, unless a State requests that its reply be kept confidential.

6. While affirming that the primary responsibility for implementing the provisions of resolution 1718 (2006) rests with States, the Committee stands ready, when requested, to facilitate implementation of those measures. The Committee will continue such cooperation with Member States and/or relevant organizations upon receiving specific requests in this regard.

Enclosure

Reports received pursuant to paragraph 11 of Security Council resolution 1718 (2006)

Member State or organization	*Document symbol*	*Date of communication*
Australia	S/AC.49/2006/1	10 November 2006
Canada	S/AC.49/2006/2	13 November 2006
United Kingdom of Great Britain and Northern Ireland	S/AC.49/2006/3	13 November 2006
Denmark	S/AC.49/2006/4	30 November 2006
Liechtenstein	S/AC.49/2006/5	13 November 2006
Czech Republic	S/AC.49/2006/6	13 November 2006
Finland (on behalf of the European Union)	S/AC.49/2006/7	13 November 2006
Republic of Korea	S/AC.49/2006/8	13 November 2006
	S/AC.49/2006/8/Add.1	15 January 2007
Singapore	S/AC.49/2006/9	13 November 2006
Japan	S/AC.49/2006/10	13 November 2006
United States of America	S/AC.49/2006/11	13 November 2006
France	S/AC.49/2006/12	13 November 2006
Russian Federation	S/AC.49/2006/13	13 November 2006
	S/AC.49/2006/13/Add.1	1 June 2007
Slovakia	S/AC.49/2006/14	14 November 2006
Hungary	S/AC.49/2006/15	14 November 2006
New Zealand	S/AC.49/2006/16	15 November 2006
Finland	S/AC.49/2006/17	13 November 2006
Slovenia	S/AC.49/2006/18	14 November 2006
Marshall Islands	S/AC.49/2006/19	16 November 2006
Belarus	S/AC.49/2006/20	16 November 2006
China	S/AC.49/2006/21	15 November 2006
Sweden	S/AC.49/2006/22	16 November 2006
Cuba	S/AC.49/2006/23	13 November 2006
Romania	S/AC.49/2006/24	14 November 2006
Cyprus	S/AC.49/2006/25	16 November 2006
Poland	S/AC.49/2006/26	16 November 2006
Belgium	S/AC.49/2006/27	17 November 2006
Sri Lanka	S/AC.49/2006/28	20 November 2006
Thailand	S/AC.49/2006/29	20 November 2006
Argentina	S/AC.49/2006/30	22 November 2006
	S/AC.49/2006/30/Add.1	5 February 2007
Bulgaria	S/AC.49/2006/31	28 November 2006
	S/AC.49/2006/31/Add.1	7 February 2007

Member State or organization	*Document symbol*	*Date of communication*
Italy	S/AC.49/2006/32	28 November 2006
Germany	S/AC.49/2006/33	30 November 2006
Switzerland	S/AC.49/2006/34	30 November 2006
Brazil	S/AC.49/2006/35	10 November 2006
Spain	S/AC.49/2006/36	29 November 2006
Portugal	S/AC.49/2006/37	30 November 2006
Albania	S/AC.49/2006/38	1 December 2006
The former Yugoslav Republic of Macedonia	S/AC.49/2006/39	6 December 2006
South Africa	S/AC.49/2006/40	7 December 2006
Panama	S/AC.49/2006/41	14 December 2006
Malta	S/AC.49/2006/42	12 December 2006
Latvia	S/AC.49/2006/43	19 December 2006
Peru	S/AC.49/2006/44	21 December 2006
Mexico	S/AC.49/2006/45	22 December 2006
Estonia	S/AC.49/2006/46	22 December 2006
Austria	S/AC.49/2007/1	28 December 2006
Serbia	S/AC.49/2007/2	9 January 2007
Indonesia	S/AC.49/2007/3	10 January 2007
Qatar	S/AC.49/2007/4	10 January 2007
	S/AC.49/2007/4/Add.1	14 May 2007
Lithuania	S/AC.49/2007/5	15 January 2007
Greece	S/AC.49/2007/6	11 December 2006
Netherlands	S/AC.49/2007/7	14 December 2006
Philippines	S/AC.49/2007/8	22 January 2007
	S/AC.49/2007/8/Add.1	14 February 2007
Viet Nam	S/AC.49/2007/9	19 January 2007
Kyrgyzstan	S/AC.49/2007/10	19 January 2007
United Arab Emirates	S/AC.49/2007/11	23 January 2007
Ukraine	S/AC.49/2007/12	19 January 2007
	S/AC.49/2007/12/Add.1	23 May 2007
Guatemala	S/AC.49/2007/13	6 February 2007
Turkey	S/AC.49/2007/14	9 February 2007
Pakistan	S/AC.49/2007/15	11 January 2007
Kuwait	S/AC.49/2007/16	17 January 2007
Croatia	S/AC.49/2007/17	20 February 2007
Jordan	S/AC.49/2007/18	20 February 2007
Bahrain	S/AC.49/2007/19	28 February 2007
Kazakhstan	S/AC.49/2007/20	26 February 2007
Mongolia	S/AC.49/2007/21	5 March 2007

Member State or organization	*Document symbol*	*Date of communication*
Maldives	S/AC.49/2007/22	8 March 2007
India	S/AC.49/2007/23	20 February 2007
Israel	S/AC.49/2007/24	19 April 2007
Algeria	S/AC.49/2007/25	15 May 2007
Saudi Arabia	S/AC.49/2007/26	26 June 2007
Luxembourg	S/AC.49/2008/1	11 February 2008
Brunei Darussalam	S/AC.49/2008/2	26 March 2008

United Nations S/2008/831

Security Council

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31 December 2008

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Report by the Secretary-General concerning the credentials of the alternate representative of Belgium on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 30 December 2008 from the Permanent Mission of Belgium to the United Nations stating that Christine Detaille has been appointed alternate representative of Belgium on the Security Council.

In the opinion of the Secretary-General, that note verbale constitutes adequate provisional credentials.

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United Nations S/2008/832

Security Council

Distr.: General
31 December 2008

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Letter dated 31 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, containing an account of the Committee's activities from 1 January to 31 December 2008 (see annex). The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) R. M. Marty M. **Natalegawa**
Chairman
Security Council Committee established pursuant to resolution 1533 (2004)
concerning the Democratic Republic of the Congo

08-67391 (E) 060109

Annex

Report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

A. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo covers the period from 1 January to 31 December 2008.

2. For 2008, the Bureau of the Committee consisted of R. M. Marty Muliana Natalegawa (Indonesia) as Chairman, with the delegations of Costa Rica and Viet Nam serving as Vice-Chairmen.

B. Background

3. By paragraph 20 of its resolution 1493 (2003), the Security Council imposed an arms embargo on all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and Ituri, and on groups not party to the Global and All-Inclusive Agreement in the Democratic Republic of the Congo. The Council also provided for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to report to the Council regularly on the position of the movements and armed groups and on information concerning arms supply and the presence of foreign military, especially by monitoring the use of landing strips in North and South Kivu and Ituri.

4. By its resolution 1533 (2004), the Security Council established the Committee, inter alia, (a) to seek information from States regarding implementation of the arms embargo; (b) to examine and take action on alleged violations; (c) to report to the Council on ways to strengthen the arms embargo; (d) to consider a list of those found to have violated the measures imposed by the Council in paragraph 20 of its resolution 1493 (2003) with a view to submitting recommendations to the Council for possible future measures; and (e) to receive notifications in advance from States made under paragraph 21 of resolution 1493 (2003) and to decide, if need be, upon any action to be taken.

5. By paragraph 10 of its resolution 1533 (2004), the Security Council requested the Secretary-General, in consultation with the Committee, to establish a Group of Experts to undertake a series of tasks related to the monitoring of the arms embargo, as set out in the resolution. The Group of Experts was re-established or extended for eight successive mandates pursuant to resolutions 1552 (2004), 1596 (2005), 1616 (2005), 1654 (2006), 1698 (2006), 1771 (2007), 1799 (2008) and 1807 (2008).

6. By its resolution 1596 (2005), the Security Council extended the arms embargo to any recipient in the territory of the Democratic Republic of the Congo, with exemptions including the army and police of the Democratic Republic of the Congo, under conditions set out in the resolution. The Council also imposed travel restrictions and an assets freeze on persons and entities acting in violation of the arms embargo. By the same resolution, the Council decided to extend the mandate of the Group of Experts, with the addition of a fifth finance expert and with a

broader mandate in connection with the measures set out in paragraphs 6, 10, 13 and 15 of the resolution.

7. By its resolution 1616 (2005), the Council renewed the arms embargo, travel restrictions and assets freeze until 31 July 2006. By its resolution 1649 (2005), the Council extended the scope of the travel restrictions and assets freeze to political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo or Congolese militias receiving support from abroad that impede the participation of their combatants in disarmament, demobilization and reintegration processes, to take effect on 15 January 2006, unless the Secretary-General informed the Council that the process of disarmament of those foreign armed groups and Congolese militias operating in the Democratic Republic of the Congo was being completed.

8. By its resolution 1698 (2006), the Council renewed until 31 July 2007 the arms embargo as well as travel and financial restrictions on individuals designated by the Committee in accordance with the criteria set out in resolutions 1596 (2005) and 1649 (2005). In its resolution 1698 (2006), the Council extended the travel and financial measures to political and military leaders recruiting or using children in armed conflict, and to individuals committing serious violations of international law involving the targeting of children in situations of armed conflict. In addition to the tasks outlined in resolutions 1533 (2004), 1596 (2005) and 1649 (2005), the Council requested the Group of Experts, whose mandate was extended under resolution 1698 (2006) for a period expiring on 31 July 2007, to recommend feasible and effective measures the Council might impose to prevent the illegal exploitation of natural resources financing armed groups in the eastern part of the Democratic Republic of the Congo. In paragraph 8 of its resolution 1698 (2006), the Council also requested the Secretary-General to present before 15 February 2007, in close consultation with the Group of Experts, a report comprising an assessment of the potential economic, humanitarian and social impact on the population of the Democratic Republic of the Congo of the implementation of the possible measures referred to in paragraph 6 of the resolution.

9. By its resolution 1771 (2007), the Council decided to renew the measures on arms imposed under resolutions 1493 (2003) and 1596 (2005) for a period expiring on 15 February 2008. In connection with the arms embargo, the Council decided to renew the exemptions for units of the army and police of the Democratic Republic of the Congo, provided that conditions specified in paragraph 2 (a), (b) and (c) of the resolution were met. In addition, by paragraph 3 of its resolution 1771 (2007), the Council decided to authorize an exemption for technical training and assistance agreed to by the Government of the Democratic Republic of the Congo and intended solely for support of units of the Democratic Republic of the Congo army and police that were in the process of integration in the provinces of North and South Kivu and the Ituri district.

10. By paragraph 4 of its resolution 1771 (2007), the Council decided that the conditions specified in paragraph 4 of resolution 1596 (2005), as now applied to the Government of the Democratic Republic of the Congo, should apply to supplies of arms and related materiel as well as technical training and assistance which are consistent with the exemptions described in paragraph 9 of the resolution, and noted in this regard that States had an obligation to notify the Committee in advance of such supplies. The Council also decided to renew the measures on transport and

travel and finance in accordance with resolutions 1596 (2005), 1649 (2005) and 1698 (2006), and to review, no later than 15 February 2008, the measures concerning the arms embargo, transport, travel and financial bans, in the light of the consolidation of the security situation and the processes of integration of armed forces and reform of the national police in the Democratic Republic of the Congo.

11. By paragraph 1 of its resolution 1799 (2008), the Council decided to extend until 31 March 2008 the measures on arms imposed by paragraph 20 of resolution 1493 (2003) as amended and expanded by paragraph 1 of resolution 1596 (2005). By paragraph 4 of the same resolution, the Council decided to extend the mandate of the Group of Experts referred to in paragraph 9 of resolution 1771 (2007).

12. By paragraph 1 of its resolution 1807 (2008), the Council decided that the measures on arms and technical training would no longer apply to the Government of the Democratic Republic of the Congo, and that for a period ending on 31 December 2008, all States would take the necessary measures to prevent the direct or indirect supply, sale or transfer, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, and the provision of any assistance, advice or training related to military activities, including financing and financial assistance, to all non-governmental entities and individuals operating in the territory of the Democratic Republic of the Congo. By paragraph 5, the Council reiterated the obligation of supplier States to notify the Committee of all shipments of arms and related materiel, as well as the provision of technical training and assistance related to military activities in the Democratic Republic of the Congo. By paragraph 13 (e), the Council extended the travel and financial measures to individuals operating in the Democratic Republic of the Congo and committing serious violations of international law involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement.

C. Summary of the activities of the Committee

13. During the reporting period, the Committee held a total of six informal consultations.

14. At the informal consultations of the Committee on 8 February 2008, the Coordinator of the Group of Experts re-established pursuant to paragraph 9 of resolution 1771 (2007) presented the Group's final report to the Committee (S/2008/43), in accordance with paragraph 10 of the resolution, and the Committee held an exchange of views on the recommendations contained in the final report, including possible actions to be taken by the Committee. Pursuant to paragraph 10 (g) of resolution 1533 (2004), the Group also submitted a list of those found to have violated the arms embargo. As a result of the discussion, the Committee subsequently agreed to dispatch letters to a number of Member States, the World Bank, the World Customs Organization and the International Civil Aviation Organization. On 12 February 2008, the Chairman of the Committee briefed the Security Council in informal consultations on the report of the Group of Experts and on the discussion held by the Committee. On 8 February 2008, the Committee received a letter from the Permanent Representative of the Netherlands informing of the transfer to the detention facility in The Hague of Mathieu Ngudjolo Chui, included in the Committee's list of individuals and entities.

15. During its informal consultations held on 4 April 2008, the Committee considered the progress report of the Group of Experts extended pursuant to resolution 1799 (2008). In reaction to the progress report, the Committee conveyed the report in a letter addressed to the Under-Secretary-General for Peacekeeping Operations dated 25 April 2008, drawing the attention of MONUC, in the light of its arms embargo monitoring mandate pursuant to paragraph 2 (g) of resolution 1756 (2007), to routes in the eastern Democratic Republic of the Congo identified by the Group as potential routes used for arms trafficking, in contravention of the arms embargo.

16. Also pursuant to the progress report, the Committee addressed a letter to the Group of Experts dated 25 April 2008 drawing its attention to several issues relevant to the Group's mandate as amended by resolution 1807 (2008).

17. During its informal consultations held on 28 May 2008, the Committee held an exchange of views with the newly appointed members of the Group of Experts on the Democratic Republic of the Congo re-established pursuant to resolution 1807 (2008) concerning their programme of work.

18. Pursuant to the adoption of resolution 1807 (2008), on 9 July 2008 the Committee addressed a letter to the Permanent Representative of the Democratic Republic of the Congo highlighting the amendments introduced by the resolution and expressing its desire to work closely with the Government of the Democratic Republic of the Congo towards the full implementation of the arms embargo and targeted sanctions.

19. During its informal consultations on 14 July 2008, the Committee considered communications from the delegations of Uganda and the United Arab Emirates in connection with a request transmitted by Uganda in September 2007 for an exemption for the payment of extraordinary expenses from the frozen funds of a listed entity held by a Dubai-based company to a bank in Uganda. On 24 July 2008, the Chairman of the Committee informed the Permanent Representative of Uganda that the Committee had no objection to the request of Uganda for an exemption under paragraph 16 (b) of resolution 1596 (2005) for payment of the extraordinary expenses.

20. On 25 September 2008, the Chairman of the Committee addressed a letter to the Permanent Representative of the United Arab Emirates informing him that pursuant to information that had recently been brought to the Committee's attention by the Group of Experts on the Democratic Republic of the Congo, the Committee had requested that the United Arab Emirates authorities place the above-mentioned release of funds on hold. On 26 November 2008, the Vice-Chairman of the Committee addressed a letter to the Permanent Representative of Uganda, reiterating the Committee's request that the Bank of Uganda establish an escrow account for the implementation of the exemption to release funds frozen by the Dubai-based company to the bank in Uganda, and requesting the Bank of Uganda to convey the relevant details of the escrow account to the Dubai Multi Commodities Centre, and to convey to the Committee the confirmation of the release of funds to the escrow account.

21. During its informal consultations held on 13 August 2008, the Committee received a presentation by the Coordinator of the Group of Experts in connection with the Group's interim report pursuant to paragraph 18 (d) of resolution 1807

(2008). Pursuant to the interim report, the Committee addressed letters to the Permanent Representative of the Democratic Republic of the Congo and to the Special Representative of the Secretary-General for MONUC. In connection with the request of the Group of Experts, as contained in the Coordinator's letter dated 28 July 2008, that the interim report be kept confidential in the light of the sensitive nature of some of the information contained therein and of the ongoing status of some of the Group's inquiries, the Chairman of the Committee addressed a letter dated 19 August 2008 to the President of the Security Council, requesting on an exceptional basis that the report of the Group of Experts not be issued as a document of the Council until the publication of the final report of the Group pursuant to paragraph 18 (d) of resolution 1807 (2008). At the Security Council's informal consultations held on 26 August 2008, no objections were raised by Council members to the Chairman's proposal. The interim report of the Group of Experts was issued as a document of the Security Council on 12 December 2008 (S/2008/772).

22. During its informal consultations held on 10 December 2008, the Committee heard a presentation by the Group of Experts in connection with the Group's final report pursuant to paragraph 18 (d) of resolution 1807 (2008), and discussed the recommendations contained therein. The Committee also considered possible actions to be taken in implementation of the Group's recommendations and, on a preliminary basis, a confidential annex prepared in pursuance of paragraph 18 (f) of resolution 1807 (2008). The final report of the Group of Experts was issued as a document of the Security Council on 12 December 2008 (S/2008/773), and the Chairman briefed members on the Group's report in informal consultations of the Security Council on 17 December 2008.

23. In December 2007, the Committee received copies of three requests for de-listing, submitted by one individual and two entities, from the Focal Point for De-listing, in accordance with paragraph 6 (b) of the annex to resolution 1730 (2006). On 8 January 2008, the Chairman of the Committee addressed three separate letters to the Focal Point, informing the Focal Point that the process of consideration of the de-listing requests within the Committee had been completed and that each remained on the list of individuals and entities subject to the measures imposed by paragraphs 13 and 15 of resolution 1596 (2005).

24. In January 2008, the Committee received a letter from the Focal Point for De-listing informing the Committee that, in accordance with paragraph 6 (c) of the annex to resolution 1730 (2006), the Focal Point had provided all members of the Committee with a copy of a de-listing request submitted on behalf of Kisoni Kambale. On 24 April 2008, the Committee decided to de-list Mr. Kambale; the Committee also decided to maintain the assets freeze imposed on the entities associated with Mr. Kambale (see United Nations press release SC/9312). The list was updated accordingly, and the Chairman of the Committee informed the Focal Point of the Committee decision.

25. By his letter dated 15 April 2008, the Chairman informed the President of the Security Council that his letter dated 14 January 2008 highlighting the grave concern of the Working Group on Children and Armed Conflict regarding repeated violations of Council resolutions on children and armed conflict by persons named in the report of the Secretary-General (S/2007/391) had been brought to the attention of the Committee. This was done in accordance with resolution 1698

(2006), which extended the Committee's tasks to include the designation (for the application of the measures first imposed by paragraphs 13 to 16 of resolution 1596 (2005)) of political and military leaders recruiting or using children in armed conflict, as well as individuals committing serious violations of international law involving the targeting of children in situations of armed conflicts.

26. On 15 May 2008, the Permanent Representative of Rwanda transmitted a list of individuals to the Committee and requested that they be included in the Committee's consolidated travel ban and assets freeze list. In his letter dated 2 June 2008 addressed to the Permanent Representative of Rwanda, the Chairman indicated that the request was under consideration by the Committee. The Chairman also transmitted the letter dated 15 May of Rwanda to the Group of Experts for consideration.

27. On 26 November 2008, the Chairman transmitted a note to members of the Committee reporting that there was agreement to update the list on the basis of the information provided by the Group of Experts re-established pursuant to resolution 1771 (2007) and the Permanent Representative of the Netherlands. By the same note, the Chairman transmitted a letter dated 2 December 2008 from the Coordinator of the Group of Experts re-established pursuant to resolution 1807 (2008), containing information concerning listed individuals and entities. Pursuant to a silence procedure in connection with the note of the Chairman, the Committee agreed on 16 December 2008 to update the list.

28. During the reporting period, the Committee received seven notifications pursuant to paragraph 5 of resolution 1807 (2008). Pursuant to paragraph 15 (d) of resolution 1807 (2008), the Committee transmitted the notifications received during the reporting period to MONUC and the Government of the Democratic Republic of the Congo. The Committee also transmitted letters to Member States acknowledging their notifications and conveying appreciation for their continued efforts towards the full implementation of the sanctions regime and for providing the Committee with information relevant to its mandate.

United Nations S/2008/833

Security Council

Distr.: General
31 December 2008

Original: English

Letter dated 29 December 2008 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to request that the full version of the statement made by the representative of the Philippines at the meeting of the Security Council held on 9 December 2008, on the item entitled "Threats to international peace and security caused by terrorist acts" (see annex) be circulated as a document of the Security Council.

(*signed*) Hilario G. **Davide, Jr.**
Permanent Representative

08-67399 (E) 070109

Annex to the letter dated 29 December 2008 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

Tomorrow we shall celebrate the commemoration of the sixtieth anniversary of the adoption of the proclamation of the Universal Declaration of Human Rights. Only last 24 October, we also celebrated the sixty-third anniversary of the entry into force of the United Nations Charter. Above all measures, these are historic milestones for the United Nations and are events of unparalleled significance.

One of the purposes of the Charter is to maintain international peace and security and to that end to, inter alia, take effective collective measures for the prevention and removal of threats to peace. In its preamble, the Universal Declaration of Human Rights declares that the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and that disregard and contempt for human rights have resulted in barbarous acts that have outraged the conscience of mankind. These rights include the rights to life, liberty and security.

There can be no doubt at all that terrorist acts are threats to international peace and security.

Hence, the holding of this debate on the agenda item, "Threats to international peace and security caused by terrorist acts" is certainly very timely and appropriate. Thus, the Philippines commends and expresses its gratitude to the President of the Security Council for organizing this debate.

More than enough has been said and recorded in the United Nations system on terrorism. The latest comprehensive report of the Secretary-General under agenda item 118 of the General Assembly at its sixty-second session, entitled: "United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy", identified as document A/62/898, shows us the complexity of the problems created by international terrorism as it affects international peace and security; the progress made thus far in combating it; and the measures recommended to be pursued to prevent or counter terrorism.

In my speech at the tenth annual International Judicial Conference, held in Strasbourg, France, in May 2002 under the sponsorship of the Center for Democracy, the Council of Europe and the Furth Family Foundation, I asserted that we must resist the temptation to attribute to terrorism some kind of mythic magnitude that makes it larger than life. I told the audience that terrorism is man-made; therefore, it can be solved by men and women of resolve.

Today, I say that there is one body that is much greater than the men and women of resolve. It is the United Nations, with its 192 Member States. Not only does it have the resolve, it has the will, the power, the might and the resources to counter and solve terrorism; and face to demolish, if it wishes to, every act of terrorism in any part of the globe. With the deadly tentacles of terrorism spreading over many places, the latest of which was Mumbai, India, the United Nations must now more than ever assert its power and might.

For this debate, let me contribute a few thoughts on how the United Nations, particularly the Security Council, can move further forward in this fight against

terrorism viewed from the legal and judicial perspectives, with which I have some familiarity.

I respectfully submit, as I did at the Strasbourg Conference I earlier mentioned, that there should now be a universally accepted definition of terrorism and a condemnation thereof as a crime, with a recognition of the criminal intent of striking fear and terror. I find in the report of the Secretary-General, referred to earlier, that there is an Ad Hoc Committee, established by General Assembly resolution 51/210 of 17 December 1996, tasked to draft a comprehensive convention on international terrorism, and ably supported by the Office of Legal Affairs. While having achieved some progress, the Committee is finding some disagreements among Member States regarding the scope of the convention, and that attempts will be made to resolve them in the Sixth Committee during the sixty-third session of the General Assembly. The convention could be the proper document for the definition of terrorism.

In the same conference, I also stated that the United Nations has lost the first opportunity to make a definition of the crime of terrorism when the Rome Statute of the International Criminal Court was deliberated upon and approved by 160 Member States. The Statute could even have included terrorism as one of the crimes recognized by the Court.

I hope that the Security Council and the General Assembly can do something to expedite the adoption of the convention on terrorism, which is still in the drawing board of the Ad Hoc Committee.

Likewise, I wish to reiterate here the proposal I made before the same Strasbourg Conference for national legislatures to enact laws defining and punishing terrorism as a crime. It could be treated as a "crime in violation of the law of nations". This would have two legal consequences. First, it would make applicable the "doctrine of universal jurisdiction". Second, it would provide for concurrent jurisdictions between international courts and domestic courts and allow the latter to yield jurisdiction to international courts according to treaty obligations. The Philippines has already enacted a law, the Human Security Act of 2007, defining and penalizing two crimes: (1) terrorism; and (2) conspiracy to commit terrorism.

Finally, Mr. President, let me state that among the strong and effective deterrents to the commission of crimes are the expeditious prosecution and trial of cases against the offenders and the rendition of just, fair and impartial judgement. Delays in the prosecution, trials and judgement of terrorists would send wrong signals to them and their co-conspirators. These would either embolden them to assert their strength and make a mockery of the weakness of the processes aligned against them; or give them reason to claim that their comrades in detention are deprived of due process and then instigate an escalation in their terrorist acts. Things would have been entirely different if, for example, there had been expeditious prosecution and trials and the meting of justice to terrorists involved in the 9/11 tragedy and similar tragedies. Continuous trials of these cases must be adopted as a standard practice. In this regard, the United Nations must do something.

United Nations S/2008/834

Security Council

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Letter dated 30 December 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the fourth supplementary agreement to the Ouagadougou Political Agreement and the press release issued by the facilitation concerning the supplementary agreement signed by the Ivorian parties on 22 December 2008 (see annexes).

I would appreciate it if the present letter and its annexes could be circulated as a document of the Security Council.

(*Signed*) Michel **Kafando**
Ambassador
Permanent Representative

08-67405 (E) 080109 140109

Annex I to the letter dated 30 December 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the President of the Security Council

[Original: French]
December 2008

Direct dialogue

Fourth supplementary agreement to the Ouagadougou Political Agreement

Preamble

The Parties to the Ouagadougou Political Agreement,

Recalling that the Ouagadougou Political Agreement was endorsed by the Economic Community of West African States, the African Union and the United Nations,

Aware of the need to complete successfully the peace process initiated by the Ouagadougou Political Agreement and previous agreements,

Determined fully to meet the commitments made under the Ouagadougou Political Agreement of 4 March 2007 and the supplementary agreements thereto and to bring about the reunification of the country in order to establish favourable conditions for the elections,

Seeking to ensure free, transparent, fair and democratic elections in the Republic of Côte d'Ivoire as a sign of true national reconciliation and lasting peace,

Desiring to restore Côte d'Ivoire to its place in the West African subregion and in the community of nations,

Recognizing the arbitration role assigned to the Facilitator by the Ouagadougou Political Agreement and United Nations Security Council resolution 1765 (2007),

Following consultations held under the auspices of His Excellency Mr. Blaise Compaoré, President of Burkina Faso and Facilitator of the inter-Ivorian direct dialogue, from 15 to 16 September 2008 and from 13 to 14 October 2008,

Have agreed as follows:

Chapter I: Identification and the electoral process

Article 1

The two Parties undertake to do their utmost to ensure that the identification exercise is a success and that the presidential and legislative elections are conducted under optimum conditions.

Chapter II: Defence and security forces

Article 2

The two Parties agree that the legislation relating to the new national army shall be drafted and signed no later than one month from the date of signature of this supplementary agreement. The new national army shall be established no later than one month from the inauguration of the new President of the Republic.

Pending the establishment of the new national army, the Integrated Command Centre (CCI) shall continue its activities in accordance with paragraphs 3.1.1, 3.1.2 and 3.1.3 of the Ouagadougou Political Agreement.

Article 3

In order to create a favourable environment for the successful holding of elections, the two Parties have agreed to reinitiate, without delay and under the leadership of the CCI and the supervision of the impartial forces, the disarmament and the stockpiling of weapons of the two former belligerent armies, as well as the demobilization of ex-combatants of the Forces nouvelles. In any event, these operations must be completed no later than two months prior to the date set for the presidential election.

The weapons collected shall be stockpiled by the CCI under the supervision of the impartial forces.

The Forces nouvelles shall immediately transmit to the Facilitator, for the CCI, the list of the 3,400 individuals proposed for assignment to security tasks in order to ensure their deployment, as soon as possible, alongside the National Police and the National Gendarmerie, under the command of the CCI. At the end of the crisis recovery process, they may apply to take the competitive examinations for recruitment to the National Police and National Gendarmerie on the basis of the national recruitment criteria. The State budget shall cover their expenses.

The Forces nouvelles should also transmit to the Facilitator, for the CCI, the list of the 600 individuals who, under the Pretoria Agreement, will be deployed immediately alongside the National Police and the National Gendarmerie under the command of the CCI. At the end of the crisis recovery process, they shall be incorporated into the National Police and the National Gendarmerie. The State budget shall cover their expenses.

Article 4

In order to expedite the demobilization of Forces nouvelles ex-combatants, the Parties invite the Government to pay demobilized ex-combatants a bonus or direct demobilization grant of five hundred thousand (500,000) CFA francs as a one-time lump sum. In any event, the demobilization of the ex-combatants of the armed forces of the Forces nouvelles (FAFN) must be completed no later than two months prior to the date set for the presidential election.

Article 5

With regard to the disbanding of militias, the two Parties agree to begin their disarmament and demobilization, as well as the stockpiling of their weapons, under

the authority of the CCI and under the supervision of the impartial forces, concurrently with the demobilization of FAFN ex-combatants. In any event, the disbanding of militias must be completed no later than two months prior to the date set for the presidential election.

The weapons collected shall be stockpiled by the CCI under the supervision of the impartial forces.

In order to expedite the disbanding of militias, the Parties invite the Government to pay demobilized militia members a bonus or direct demobilization grant of five hundred thousand (500,000) CFA francs as a one-time lump sum.

Article 6

The two Parties have decided to resolve definitively the issue of quotas for the incorporation of FAFN members into the new national army based on the proposals contained in the 5 January 2008 arbitration by the Facilitator:

- The Forces nouvelles shall first identify and prepare a description of their disarmed ex-combatants and shall transmit the final list to the Facilitator;
- The Forces nouvelles shall then submit to the Government a list of 5,000 eligible ex-combatants for incorporation into the new national army;
- The Government shall settle the issue of the 5,000 ex-combatants of the Forces nouvelles and shall take the appropriate decisions regarding their incorporation into the new national army within a maximum of two years;
- Pending their incorporation into the new national army, the FAFN ex-combatants shall be brought together, under the command of the Chief of the Forces nouvelles and supported by the impartial forces, for joint basic training in one military camp in each of the cities of Bouaké, Korhogo, Man and Séguéla. Their expenses shall be paid by the Government.

Article 7

The two Parties have decided to resolve the issue of the ranks of FAFN soldiers who are former members of the Defence and Security Forces (FDS) as follows:

- The two general officers of the Forces nouvelles shall be assigned the rank of brigadier general by presidential decree as from the date of adoption of the Amnesty Law of 12 April 2007;
- Commissioned officers, non-commissioned officers and other listed personnel who were retired at the outbreak of the crisis shall continue to receive a pension, provided that they produce the necessary documentation. Those who reached the age limit for their rank between the beginning of the crisis and now shall be eligible to retire, following the process of rank harmonization;
- Commissioned officers, non-commissioned officers and other enlisted personnel who were members of the FDS and are still considered active staff shall have their career paths restored, based on the principle of rank harmonization with their FDS equivalents; shall receive their pay arrears; and shall be incorporated into the new national army as from the date of adoption of the Amnesty Law of 12 April 2007. Those who wish to retire or to work for

other Government institutions in positions equivalent to the ranks to which they have been promoted may do so;

- Non-commissioned officers and other enlisted personnel who have been promoted to the rank of commissioned officer shall maintain their ranks on an operational basis and shall become eligible for retirement once the crisis recovery process is completed. An ordinance to that effect, attached in the annex hereto, shall be issued by the President of the Republic and shall specify the conditions of that appointment and the modalities for retirement;

- The soldiers recruited under class 2001/1A for training and incorporation into the army who are currently in the FAFN ranks shall be hired by the FDS under the Amnesty Law of 12 April 2007 and incorporated into the new national army.

Chapter III: Restoration of the authority of the State and redeployment of the administration throughout the national territory

Article 8

Recognizing that the country's failure to achieve reunification and the delay in bringing about institutional and political normalization constitute serious obstacles to the holding of fair, transparent and democratic elections, the two Parties agree that:

- Civil servants shall be assigned to the Centre-North-West (CNO) zone by their respective ministries and shall assume their duties no later than 15 January 2009;

- Lower court and appeals court judges assigned to the CNO zone shall assume their duties no later than 15 January 2009. Their staff shall be appointed by the supervising ministry and shall begin work no later than 15 January 2009.

- In order to facilitate the reopening of the courts in the CNO zone and to ensure security throughout the electoral process, the two Parties agree that the FDS and the FAFN shall make National Police and National Gendarmerie officers, including criminal investigation officers, available to the CCI in accordance with article 5 of the third supplementary agreement of 28 November 2007;

- The regional and departmental chiefs and the deputy chiefs assigned to the CNO zone shall assume their full authority no later than 15 January 2009. To that end, a ceremony for the transfer of responsibility shall be organized with the zone and sector commanders.

Article 9

Redeployment of the tax and customs administration throughout the national territory, and particularly in the CNO zone, shall begin immediately following the signature of this Agreement, under the supervision of the Facilitator's Special Representative.

[a] Not transmitted to the Secretariat.

The impartial forces shall help ensure the security of the administration staff thus deployed.

Chapter IV: Financing of the crisis recovery process

Article 10

Aware that financing the crisis recovery process is primarily the responsibility of the Ivorians themselves, the two Parties have decided to implement immediately the redeployment of the tax and customs administration in the CNO zone on the basis of a single exchequer in order to give the Government access to the tax revenue which is not currently being collected and which could finance some elements of the peace process. The single exchequer must be established no later than 15 January 2009.

Article 11

The Government shall provide the financial resources necessary to implement the activities envisaged in the third supplementary agreement.

Article 12

The two Parties have agreed to seek assistance from Côte d'Ivoire's technical and financial partners with a view to the rapid disbursement of the various contributions pledged at the meetings of the evaluation and monitoring committee and at donor coordination meetings.

Chapter V: Final provisions

Article 13

This supplementary agreement extends and supplements the previous agreements. In the event of a conflict between its provisions and those of the other supplementary agreements to the Ouagadougou Political Agreement, the provisions of this agreement shall prevail.

Article 14

This supplementary agreement shall enter into force as soon as it has been signed by the Parties and the Facilitator.

Done at Ouagadougou on 22 December 2008

(*Signed*) Laurent **Gbagbo**
President of the Republic of Côte d'Ivoire

(*Signed*) Guillaume Kigbafori **Soro**
Secretary-General of the Forces nouvelles

(*Signed*) Blaise **Compaoré**
President of Burkina Faso
Facilitator of the direct dialogue

Annex II to the letter dated 30 December 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the President of the Security Council

[Original: French]
22 December 2008

Inter-Ivorian direct dialogue

Press release from the Facilitator's Office

Under the auspices of His Excellency Mr. Blaise Compaoré, President of Burkina Faso and Facilitator of the inter-Ivorian direct dialogue, the Parties to the Ouagadougou Political Agreement held meetings in Ouagadougou in September, October, November and December 2008 in order to discuss ways to expedite the implementation of certain provisions of the Ouagadougou Political Agreement of 4 March 2008 and the supplementary agreements thereto.

The discussions, all of which were held in a peaceful, cordial atmosphere of mutual respect and fraternal consideration, focused primarily on the identification and voter registration process, pending issues relating to the Defence and Security Forces, restoration of the authority of the State and redeployment of the administration throughout the national territory, and financing of the crisis recovery process.

Following the consultations, the two Parties concluded a fourth supplementary agreement to the Ouagadougou Political Agreement, the text of which was initialled today, 22 December 2008, at Ouagadougou.

The primary purpose of this supplementary agreement is to promote full implementation of the Ouagadougou Political Agreement and to create favourable conditions for the holding of free, transparent, fair and democratic elections in Côte d'Ivoire.

With regard to the identification and voter registration process, the fourth supplementary agreement calls on both Parties to work together with a view to the success of the identification exercise and to focus their efforts on the holding of elections.

With respect to the pending issues involving the Defence and Security Forces, the Parties have agreed to resolve definitively the demobilization problems related to the establishment of the new national army, the socio-economic reintegration of ex-combatants, the ranks of Forces nouvelles soldiers, and quotas for the incorporation of Forces nouvelles members into the new national army, in a constructive spirit and in the best interests of Côte d'Ivoire.

Concerning restoration of the authority of the State and redeployment of the administration throughout the national territory, the fourth supplementary agreement makes adjustments to the third supplementary agreement and sets new dates for redeploying the tax and customs administration and other public administrations in the Centre-North-West zone; implementing of the principle of a single exchequer; and ensuring the safety of the administration staff deployed.

The fourth supplementary agreement also reaffirms the primary responsibility of the Ivorian State for the financing of the crisis recovery process, while appealing to the international community to continue to provide financial support for implementation of the activities envisaged in the Ouagadougou Political Agreement.

The initialled text of this Agreement will soon be signed by the Parties, which are determined to bring about the reunification of the country, to promote national reconciliation and to create favourable conditions for the holding of free and democratic elections as a sign of the restoration of lasting peace in Côte d'Ivoire.

United Nations A/ES-10/430–S/2008/835

General Assembly
Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 30 December 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Palestinian death toll is mounting as a result of the ongoing indiscriminate and lethal military assaults being carried out by the Israeli occupying forces against the Palestinian civilian population in the besieged Gaza Strip. Since the beginning of its brutal onslaught on Gaza, which started on 27 December 2008, more than 375 Palestinians, including children and women, have been killed by Israel, the occupying Power. Moreover, more than 1,750 Palestinians have been injured, many severely, and many will die from their injuries because of the dire situation facing the beleaguered hospitals in Gaza.

Despite the strong reaction to Israel's aggression against the Gaza Strip by the Palestinian Authority, under the leadership of President Mahmoud Abbas, and the reiteration of calls for an immediate ceasefire from all corners of the world to avert the dangerous spiralling of the situation on the ground, Israel persists in the escalation of its military assaults against the Gaza Strip, killing more Palestinians and further terrorizing the civilian population. As Israel, the occupying Power, launched airstrikes against the Gaza Strip for a fourth consecutive day, Israeli Prime Minister Ehud Olmert called the bombardment "the first of several stages", suggesting that the onslaught against Gaza and its people was far from ending, and therefore repeating its rejection for an immediate ceasefire. The occupying Power, in fact, increased its number of warships along the Gaza shoreline and amassed more tanks and troops along the border.

Today, Israeli warplanes continued on with its airstrikes across the Gaza Strip, targeting civilian homes and properties, including a farm. In Beit Hanoun, a village in northern Gaza Strip, three Palestinian civilians were killed, including two sisters, Lama and Haya Hamdan, 4 and 11 years old respectively, as a result of a missile fired from an Israeli warplane. The four-year-old girl was killed instantly and her 11-year-old sister died en route to the hospital. Moreover, in addition to the death and destruction imposed on the 1.5 million Palestinian civilians in the Gaza Strip, an

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Israeli naval vessel rammed and shot at a boat with 16 medical volunteers aboard carrying 3.5 tons of medical aid to the Gaza Strip in international waters about 60 to 70 miles off Gaza.

Needless to say, the humanitarian situation has continued to drastically deteriorate as a result of the military attacks by the occupying Power against the Palestinian people in the Gaza Strip who are already living in appalling conditions as a result of the 18-month Israeli siege on Gaza. Numerous international and aid organizations, such as the World Health Organization (WHO) continue to call on Israel to ensure that medical supplies are delivered to those hit by the military attacks. In a statement released today, WHO called for the deliverance of essential and life-saving medicines without delay and warned, as many other aid organizations have over the past couple of days, that the inability of the hospitals to cope with a problem of this magnitude, if the situation continues unchanged, will result in a surge in preventable deaths from complications due to trauma.

International humanitarian law and human rights law were created for the purpose of protecting human life and dignity everywhere and preventing such reckless and condemnable attacks against civilians and their property. Regrettably, however, the occupying Power has never respected international law and continues to commit systematic violations and grave breaches of the law. The lethal military assaults carried out by the occupying forces by its aerial bombardments have not only caused massive human carnage and widespread destruction of property in the area, but have also left the entire civilian population in a state of fear, panic and trauma. Israel, the occupying Power, must be held accountable for such grave breaches of the law and cannot be allowed to continue to act with such flagrant and vicious impunity.

Moreover, we reiterate our call upon the international community, including the Security Council, to act immediately to help to bring about an immediate ceasefire and respect for international law. Tangible measures must be taken to address this crisis and to avert its further dangerous decline; to aid the Palestinian civilian population, including by providing them with the necessary protection and assistance to help them cope with the humanitarian crisis they are facing, including through compelling the occupying Power to ensure unhindered access of humanitarian assistance to the Gaza Strip; and to promote the calm needed to ultimately end this latest tragedy the Palestinian people are facing.

This letter is in follow-up to our previous 325 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 29 December 2008 (A/ES-10/429-S/2008/828), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice (as all the victims have not yet been identified, their names will be included in an annex to a future letter).

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine

United Nations S/2008/836

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Letter dated 30 December 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for the period 2008 as endorsed by the members (see annex).

I would be grateful if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Dumisani S. **Kumalo**
Ambassador and Permanent Representative
of the Republic of South Africa

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Annex

Report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for the period 2008

I. Introduction

1. The Ad Hoc Working Group on Conflict Prevention and Resolution in Africa was established by a note by the President of the Security Council (S/2002/207). The note, which delineated the composition, chairmanship, method of work and duration of the working group, also set out the mandate of the Ad Hoc Working Group as follows:

(a) To monitor the implementation of recommendations contained in presidential statement S/PRST/2002/2 and previous presidential statements and resolutions regarding conflict prevention and resolution in Africa;

(b) To propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa;

(c) To examine, in particular, regional and cross-conflict issues that affect the Council's work on African conflict prevention and resolution;

(d) To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution between the United Nations and regional (African Union) and subregional organizations.

2. By his note S/2007/771, the President of the Security Council conveyed the agreement of the Council that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, initially established on 1 March 2002 (see S/2002/207), should be extended for a period of one year, and thus would continue its work until 31 December 2008.

3. Subsequently, pursuant to a note by the President of the Security Council dated 3 January 2008 (S/2008/2), South Africa succeeded the Congo as Chair of the Ad Hoc Working Group. Dumisani S. Kumalo, Ambassador and Permanent Representative of South Africa, was elected as its Chairman for the period ending 31 December 2008.

4. This report reflects the activities of the Ad Hoc Working Group that were conducted during 2008, under the chairmanship of South Africa.

II. Activities conducted

A. Briefing by the Department of Political Affairs

5. On 21 January 2008, South Africa, in its capacity as Chairman of the Ad Hoc Working Group, represented the Security Council at a meeting in Addis Ababa of the African Union Peace and Security Council with non-African regional and international organizations.

6. On 24 January 2008, the Ad Hoc Working Group met to consult on its activities for 2008.

7. On 6 March 2008, the Ad Hoc Working Group met to hear a briefing by B. Lynn Pascoe, Under-Secretary-General for Political Affairs, on the proposal to strengthen the Department of Political Affairs. The briefing provided the Working Group with an opportunity to understand how the Department of Political Affairs sees its role in conflict prevention and resolution efforts and proposed steps to strengthen the Department.

8. Mr. Pascoe pointed out that the constraints facing the Department of Political Affairs were well documented in reports and evaluations that attest to an unsustainable trend of rising responsibilities and zero growth in resources. The result, he noted, was an overstretched political department that is unable to consistently perform the kind of analysis, diplomatic engagement and coordination required for successful preventive diplomacy.

9. Nonetheless, Mr. Pascoe observed that the Secretary-General still expects the Department of Political Affairs to be more active than before and to reduce the peacekeeping burden, which has become costly because of an increasing number of operations, including demanding operations such as the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

10. The United Nations needed to become more effective not only at stabilizing conflict situations and dealing with their humanitarian side effects, but also at preventing and resolving them through political means. Conflict prevention and resolution are Charter responsibilities which we simply cannot fail to fulfil.

11. Given this state of affairs, Mr. Pascoe disclosed that a number of steps were being proposed to strengthen the Department of Political Affairs:

(a) Substantial and long overdue strengthening of the regional divisions of the Department of Political Affairs, along with some reorganization for greater efficiency;

(b) Establishment of an integrated policy, partnerships and mediation support division, with the objective of helping the Department of Political Affairs to be more systematic in carrying out mediation efforts and to increase the capacity of the Department to work on cross-cutting issues that affect peace and security;

(c) Strengthening of the Security Council Subsidiary Organs Branch and the Electoral Assistance Division;

(d) Creating posts to enhance Department of Political Affairs management, evaluation, and oversight and communications capacity, in support of the overall work of the Department.

12. The Chair thanked Mr. Pascoe on behalf of the members of the Ad Hoc Working Group and assured him of the support of the members in any way they felt they could assist the Department of Political Affairs in fulfilling its conflict prevention and conflict resolution duties, either in their respective national capacities or as members of the Security Council.

B. Meeting on the concept "responsibility to protect"

13. On 1 December 2008, the Ad Hoc Working Group convened an important substantive meeting, during which it addressed the concept of responsibility to protect. In proposing and convening the meeting, the Chair felt strongly that conflict prevention, a critical component of the responsibility to protect, was not being adequately addressed.

14. Furthermore, there were two other purposes for holding the meeting. The first was that the Secretary-General was expected to present his report on the responsibility to protect to the General Assembly early next year, which would then hold a debate on the report. Therefore, the Chair believed that the deliberations in the Working Group on the concept of responsibility to protect could contribute to that debate, whose objective, among others, is to arrive at a common understanding on issues that are set forth in paragraphs 138 and 139 of the 2005 World Summit Outcome (General Assembly resolution 60/1).

15. Second, there was a shared understanding that the concept of responsibility to protect was within the remit of the Ad Hoc Working Group. Therefore, it was critical that the meeting be understood within the context of the mandate of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, which set forth to propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the United Nations and regional (African Union) and subregional organizations. (See S/2002/207, sect. III (iv).)

16. The interactive meeting, which was well attended, provided a very useful glimpse into the national positions of Council members and experts in the field, on the facet of responsibility to protect related to non-military action. The meeting also served as a forum for the Council to begin a conversation aimed at articulating positions that recognized the equal importance of all the pillars of the responsibility to protect. The Chairman's summary of the meeting is contained in appendix I to the present annex.

C. Briefing by the Chairmen of the subsidiary bodies of the Security Council

17. As statutorily required, the Chair of the Ad Hoc Working Group on Conflict joined his colleagues and the various Chairs of the subsidiary organs, in briefing the Security Council at its 6043rd formal meeting held on 15 December 2008. The text of the Chair's briefing to the Council on the activities of the Ad Hoc Working Group for the year 2008 is contained in appendix II to the present annex.

III. Conclusion

18. It has been an honour for South Africa to serve on the Security Council over the past two years and to Chair the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa during its last year on the Council.

19. South Africa assumed the Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa during the period 2008 because it believed that it could bring added value to that Council's work on the African dossier and

specifically because it felt that such a role would also strengthen the African agenda on peace, security and development. Our overall contribution to this Council was in line with the aims of the Working Group.

20. South Africa feels gratified that members of the Council responded positively to our efforts in the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa and that there is now a better understanding of the questions relating to peace and security in Africa and the role of conflict prevention.

21. As South Africa leaves the Council and the Ad Hoc Working Group on Conflict Prevention and Resolution, I wish to thank the Secretariat, especially the Secretary of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, Oseloka Obaze, for the support we have received throughout the activities of the Working Group.

New York, 29 December 2008

(*Signed*) D. S. **Kumalo**
Permanent Representative
Chairman of the Ad Hoc Working Group
on Conflict Prevention and Resolution in Africa

Appendix I

Summary of the proceedings of the meeting on the responsibility to protect

Ambassador Dumisani S. Kumalo, Permanent Representative of South Africa to the United Nations and Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

In his opening remarks, Ambassador Kumalo said that the meeting was being held for two reasons. First, the Secretary-General was expected to present his report on the responsibility to protect to the General Assembly early next year and the latter, in turn, would debate the report. It was his hope that the meeting would contribute to that debate. Second, the concept of the responsibility to protect fell within the mandate of the Ad Hoc Working Group, as conflict prevention was a critical aspect of the responsibility to protect. In that regard, he stressed that the responsibility to protect did not refer exclusively to military intervention and noted with concern that the transformation of the concept of the responsibility to protect into practice was slow.

Dr. Edward C. Luck, Special Adviser to the Secretary-General and Senior Vice-President and Director of Studies of the International Peace Institute

Dr. Luck recalled that the Secretary-General had made clear in his speech of 15 July in Berlin that the responsibility to protect was not "another name for humanitarian intervention". He noted that by taking an affirmative and respectful view of sovereignty, the concept sought to help States succeed, not just to react when they had failed. In that regard, he said, the Secretary-General had suggested that the responsibility to protect rested on three pillars: (1) the responsibility of the State to protect its own people; (2) the responsibility of the international community to assist a State in meeting its protection responsibilities; and (3) the responsibility of the international community to respond to the failure of a State to meet its protection responsibilities. He emphasized that the three pillars were mutually reinforcing, and that while preventive and assistance measures were much preferred, collective measures under Chapter VII of the Charter of the United Nations could not be ruled out. The "trick" was to get the balance right. Responding to the concept paper prepared by South Africa, Dr. Luck clarified that neither the 2005 World Summit Outcome nor the Secretary-General had used the term "intervention" to refer to the responsibility to protect, which was meant to support the State, not undermine it. While reiterating that the responsibility to protect was a "much broader and more nuanced" concept than humanitarian intervention, he was concerned that, at times, national Governments and intergovernmental bodies tended to narrow their options and thus failed to provide the necessary protection of affected populations. He suggested that the best way to discourage powerful States from abusing the responsibility to protect for unilateral purposes was for the international community to develop a clear framework for the implementation of the responsibility to protect in a collective and legal manner. Finally, he was of the view that individual States should collaborate more closely with the international community in order to "realize the promise" of the responsibility to protect.

Ambassador Lila Hanitra Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations

Ambassador Ratsifandrihamanana underscored the importance of a non-military approach to implementing the concept of the responsibility to protect, while warning against possible intervention in weak States by more powerful States. She recalled that, well before the concept of the responsibility to protect had come into being, the African Union had declared in article 4 (h) of its Constitutive Act that it would intervene in a member State to protect human rights, good governance, etc. However, military intervention could be authorized only in "extreme" circumstances. At the same time, she opined that non-military measures related to the responsibility to protect could be applied in cases of natural disasters. Touching on specific issues in Africa, Ambassador Ratsifandrihamanana urged the international community to intensify its support for UNAMID so that the hybrid force could better protect civilians. While commending the international community for its role in addressing the crisis in Kenya earlier this year, she was concerned that few actions had been taken regarding the responsibility to protect in Somalia.

Ms. Nicola Reindorp, Director of Advocacy at the Global Centre on the Responsibility to Protect

Ms. Reindorp noted that all stakeholders at national, regional and international levels must act in order to turn the principles of the responsibility to protect into practice. However, the Security Council had a particular role in preventing mass atrocities. In that regard, she identified the following five aspects that the Council must work on: (1) the Council should be open to information from all sources indicating that people were at risk, so as to be prepared for early warning and early action; (2) the Council must be willing to take up all situations, whether or not they were on its agenda; (3) the Council must be willing to respond quickly before a situation would become catastrophic; (4) the Council should consider all options at its disposal, as words were not always sufficient and short-term coercive measures could save lives; and (5) the Council must distinguish States lacking the capability to protect from those that themselves were the perpetrator of atrocities, and put early and robust pressure on Governments. In conclusion, Ms. Reindorp stressed that the Council could not continue a "wait-and-see" policy. When preventive action had failed, the Council must show its political will to act. She warned that unless it changed its behaviour, the Council could expect to see more failures like those of the past.

Ambassador Giulio Terzi di Sant'Agata, Permanent Representative of Italy to the United Nations

Ambassador Terzi said that the responsibility to protect should be further developed and "enshrined in the Council's practice". A sovereign State must act in a responsible manner to ensure a stable political situation with respect for human rights and the rule of law. If a State did not have such capabilities, the international community should provide assistance. He encouraged the United Nations to better use the existing mechanisms, including through the Peacebuilding Commission and the Human Rights Council. In the meantime, Ambassador Terzi believed that the Secretary-General could play a key role, particularly with regard to early warning. He added that when a State proved unable or unwilling to protect its people, collective action by the Council under Chapter VII could be invoked.

Ambassador Jan Grauls, Permanent Representative of Belgium to the United Nations

Ambassador Grauls was pleased that the concept of the responsibility to protect seemed to be "less of a taboo" for the Council with the holding of the meeting. While recognizing the African roots of the concept of the responsibility to protect in the African Union's Constitutive Act, he noted that all too often Africa was also the theatre for the responsibility to protect situations. He stressed that it was time to operationalize the concept and, in that connection, he highlighted that the following elements must be considered regarding the implementation of the responsibility to protect: (a) emphasis must be placed on the need to prevent conflict and to strengthen national capacities to protect; (b) since conflict prevention and the responsibility to protect were different concepts, when tensions increased rapidly, the international community should act quickly; (c) steps must be taken to prevent post-conflict States from relapsing into conflict; and (d) combating impunity should be a "vital part of the responsibility to protect tool box".

Ambassador Jean-Maurice Ripert, Permanent Representative of France to the United Nations

Noting that a main objective of the responsibility to protect was to save lives and to ensure free access to the victims, Ambassador Ripert said that the international community should be in a position to intervene everywhere when a situation of concern had emerged. He believed that the responsibility to protect fully fell within the mandate of the Council and reminded participants that the responsibility to protect was not substituting with humanitarian assistance, which NGOs had been providing for many years. It was based on human rights whose grave violations could represent a threat to peace and security, allowing the Security Council to intervene. While stressing the importance of preventive action, he opined that prevention would often be more effective when backed by a credible threat of sanctions. Meanwhile, he underlined that the scope of the responsibility to protect was not limited and, in that regard, he suggested that the responsibility to protect could also apply to situations in connection with natural disasters. While acknowledging that natural disasters were not mentioned in the 2005 World Summit Outcome as a reason that would trigger the responsibility to protect, Ambassador Ripert explained that that was because, at that time, few had expected that such States as the Democratic People's Republic of Korea and "Burma" would prevent the international community from aiding populations in need. Finally, Ambassador Ripert stressed that Member States could not continue to advocate early warning and prevention without strengthening the Department of Political Affairs. Moreover, he was disappointed that the responsibility to protect had not been implemented as desired and attributed this failure to the division among Council members on the subject.

Steve Crawshaw, United Nations Advocacy Director at Human Rights Watch

Mr. Crawshaw stressed that while it was important to look at measures to prevent situations of mass atrocities, it was even more dismaying that the Security Council had repeatedly failed to act even in situations where mass atrocities were clearly ongoing. As examples he cited the situations in Darfur in 2003, where initially it had been very difficult to draw the attention of governments to the situation, even though mass atrocities were clearly being committed, as well as the current situation in the eastern Democratic Republic of the Congo. He stressed that the failure to act in ongoing situations of mass atrocities was unacceptable. In addition, he was wary

of diluting the concept of the responsibility to protect and held that while clearly military action was only one step in a continuum of possible actions, the use of military means to protect affected populations should not be excluded.

Burkina Faso

Burkina Faso stated that the responsibility to protect was primarily a "responsibility to prevent" and pointed to, inter alia, resolutions 1296 (2000) and 1674 (2006) on the protection of civilians in armed conflict, which stipulated that the deliberate targeting of civilian populations might constitute a threat to international peace and security. He held that the international community had the right and the duty to intervene in situations where a government failed to protect its population. He nevertheless warned that possible abuse of the concept had to be prevented. Noting an increase in the involvement of regional organizations in conflict situations in Africa, he stressed the need to bolster their capacity and he hailed the African Union for its leadership on prevention, particularly by including the principle of non-indifference in its Constitutive Act.

United Kingdom

Ambassador Pierce stressed that the responsibility to protect was a global concept and, pointing to the events in Srebrenica, underlined that atrocities had occurred on every continent. She held that the Security Council had not yet found a balance in the questions of when to intervene and when to protect the sovereignty of affected States. She challenged those Council members who tended to favour the protection of sovereignty to look back and determine if the protection of sovereignty in some situations had not led to atrocities that would have been preventable. She also held that the actual number of military interventions for humanitarian purposes was very small and that governments probably feared sanctions more than military actions. She asked who would intervene if the Security Council did not and, promising that her Government would keep an open mind, she asked all those sceptical of Security Council action to present alternatives. Emphasizing that the preventative aspect of the responsibility to protect deserved attention, she also wondered how to encourage governments to ask for preventative assistance. In conclusion, Ambassador Pierce stressed the need to strengthen United Nations policing capabilities, which would often have a greater role than troops to play in addressing break downs of law and order and human rights abuses.

Ms. Fabienne Hara, Vice-President of Multilateral Affairs at the International Crisis Group (ICG)

Ms. Hara emphasized that the concept of the responsibility to protect did not focus on the notion of intervention, but on the protection of the affected populations. She supported the previous speakers in that a focus on prevention was necessary and that military action should be the last resort. She expressed the hope that the next time mass atrocities were to take place, the international community would not ask whether action was required, but what action by whom and when. Pointing to the situation in the eastern Democratic Republic of the Congo, she emphasized that clearly not enough had been done to address the root causes of the conflict, as the situation in the Kivus had erupted four times over the last 12 years. She also noted that the Council had not responded to previous requests of the Department of Peacekeeping Operations for additional troops.

Mr. William R. Pace, Executive Director of the World Federalist Movement's Institute for Global Policy (WFM-IGP)

Mr. Pace pointed to his experience in the negotiations of the 2005 World Summit Outcome to support the notion that the responsibility to protect had not been a northern or western agenda. He held that the Security Council had a clear responsibility to prevent atrocities by early action and that it had the widest range of measures at its disposal. Nevertheless, he held that in order to make the doctrine of the responsibility to protect operational, it had to be taken up by all relevant bodies in the United Nations system. He stressed that his organization would hold States accountable for their actions and inactions on the responsibility to protect, but would also encourage regional organizations to take up the issue.

Ms. Joanna Weschler, Director of Research, Security Council Report

Ms. Weschler outlined the history of the concept of the responsibility to protect, which in her view came into Security Council discussions 15 years ago as the Council began to include protection tasks in the mandate of United Nations missions (e.g., UNPROFOR). In 1999, lessons learned from Rwanda and Yugoslavia represented important milestones for the concept and led to "soul searching" by the United Nations on how to prevent such mass atrocities in the future. The subsequent "hands-on approach" with which both the Council and the Secretary-General had addressed the situation in Timor-Leste was largely credited with convincing the Indonesian Government to allow an intervention. She pointed out that there had been a growth in protection mandates for peacekeeping operations from one in 1999 to six in 2006 and 2007. She held that history showed that the Security Council had a role in the protection of civilians and that while criticism was justified, the Council often did not get full credit for what it did.

Ambassador Dumisani S. Kumalo, Permanent Representative of South Africa to the United Nations

Ambassador Kumalo held that Africa was way ahead of other regions in recognizing the importance of the responsibility to protect, as that continent was keenly aware that it could not afford "another Rwanda". He underlined that during the negotiations at the 2005 World Summit, delegations from Africa had to convince delegations from other regions to include the concept in the Outcome. Stressing that the responsibility to protect must be applied equally, he expressed his frustration that the examples of situations involving the responsibility to protect mentioned at the meeting had not included Somalia. He held that such unequal application risked weakening the concept. He also warned that the idea of expanding the concept of the responsibility to protect to include natural disasters was "stretching it". He emphasized that the concept should encompass the whole continuum of available measures and should not focus on military intervention. In his view, those critical of the concept were under the impression that advocates were focusing on "where they can punish someone". He concluded that with the meeting, South Africa had hoped to get the Security Council to act. He had hoped that, faced with the criticism from NGOs, States would feel compelled to explain why they did not act in certain situations and he said that, as an African, he would be disappointed were the concept to lose credibility.

Dr. Edward C. Luck, Special Adviser to the Secretary-General and Senior Vice-President and Director of Studies of the International Peace Institute

Dr. Luck concurred with Ambassador Grauls in expressing the hope that the meeting would be the beginning of the end of the Security Council treating the responsibility to protect as taboo. He also agreed with the Belgian Ambassador's emphasis on the need to distinguish between conflict prevention and the prevention of mass atrocities, adding that it would be necessary for the actors involved to be able to ask the right kind of questions by mainstreaming the responsibility to protect. In that context, he noted that the Peacebuilding Commission seemed to be gravitating towards countries which had experienced mass atrocities, adding that since past experience continued to be one of the best predictors of future mass atrocities, the Commission had an important role to play in prevention. Responding to comments made by France, Dr. Luck stated that while the Security Council had a critical role to play in terms of the responsibility to protect, the Council's interactions with other United Nations organs were equally important. In that context, he pointed out that while the General Assembly should not try to restrict the Security Council's endeavours, it could play an important role in prevention, mediation, monitoring and investigation. He added that the Assembly could also invoke "Uniting for peace", should the Council be unable to act. On whether natural disasters should be included in the definition of the responsibility to protect, he stressed that in preparing the report of the Secretary-General on the responsibility to protect for the General Assembly, care was being taken to operate within the framework agreed by the Member States in the 2005 Summit Outcome, where natural disasters had not been included. Noting that some United Nations concepts had been "watered down" on their way through the system, he stressed the importance of keeping the concept of the responsibility to protect focused, adding, "We must not try to run before we can walk". Responding to the questions posed by Ambassador Pierce, Dr. Luck pointed out that neither the Council nor the General Assembly had been involved in Kenya earlier this year, but that the Secretary-General could do quite a lot with regard to early action. On the question of how the international community could encourage governments to ask for international assistance to fulfil their national responsibility to protect, he recalled previous positive experiences in Timor-Leste and Kenya.

Ambassador Lila Hanitra Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations

Ambassador Ratsifandrihamanana thanked South Africa for having drawn attention to the case of Somalia, which she believed deserved heightened international attention, including from the Council. Noting that some speakers had emphasized the African leadership in terms of the responsibility to protect, she said that the African Union would assume that leadership role. She recalled that the African Union had already made an appeal for international assistance for the establishment of a system of early warning. Pointing out that the African Union was often the first outside force to be present in crisis situations, including in Darfur and Somalia, she stated that, owing to the limited resources of the African Union, that regional organization would continue its appeals to the Council to discuss ways of financing African peacekeeping efforts. On the situation in Darfur, Ambassador Ratsifandrihamanana expressed the hope that UNAMID could reach the target of 80 per cent deployment this year, arguing that the Sudanese Government should be encouraged to facilitate the deployment. She added that no African government would deliberately wish to massacre its own population, and held that the responsibility was shared by all actors involved. As for Somalia, she expressed the

hope of the African Union for the deployment of a United Nations stabilization force to be deployed with a view to facilitating the eventual deployment of a United Nations peacekeeping operation. She concluded by stressing that the responsibility to protect begins with development, combating poverty and ending all incitement to violence, which also conferred a certain responsibility on the media.

Ms. Nicola Reindorp, Director of Advocacy at the Global Centre on the Responsibility to Protect

Ms. Reindorp observed that just as it was important to distinguish between the responsibility to protect and humanitarian intervention, the responsibility to protect could not be reduced to a question of early humanitarian assistance. The concept of the responsibility to protect, she stressed, had been developed to specifically address the responsibility to protect against mass atrocities. Noting the general concurrence that the prevention of mass atrocities was substantively different from conflict prevention, she called on the Council to consider how that would translate into different measures to be used to address those situations. Urging the Council to acknowledge that the responsibility to protect belonged within the realm of the Security Council, she stressed that if Council members were serious about prevention, early action by the Security Council itself would be required. She added that the responsibility to protect entailed an appeal to the Council on behalf of the affected populations of all 192 Member States.

Indonesia

Stressing the importance of prevention, Mr. Soemirat advocated greater emphasis on the responsibility to protect by States rather than by the international community, adding that this would entail a greater focus on enhancing the capacity of Member States to protect their populations. Warning against a "grey area" in the definition of the responsibility to protect, he underlined that the responsibility to protect covered responses to war crimes, genocide and crimes against humanity, and not to natural disasters. Indonesia stressed the need for the Council to apply the concept of the responsibility to protect consistently, and said that, as the Council had many tools at its disposal, it should carefully consider any action it might take.

United States of America

Mr. McBride asked what the implications would be for the discussion of the responsibility to protect in other United Nations organs, if the Council were to be actively seized of the situations in Kenya and Zimbabwe. At the same time, noting that his delegation was working on a draft resolution on piracy in Somalia, he wondered which responsibility to protect tools the Council might apply to address the situation in that country.

Costa Rica

Mr. Gonzalez stressed that the responsibility to protect constitutes not only an evolution of the concept of sovereignty, but also an evolution of the concept of security where multilateralism has a more prominent place and the focus is on the security of human beings. He said that now was the time to move the discussion on the responsibility to protect from definition to implementation and that engagement from all actors at all levels is a fundamental element. Emphasizing the importance of a non-punitive and non-coercive approach, he argued that while military intervention could only take place as a last resort, the three pillars of the responsibility to protect should be equally and seriously considered depending of the circumstances. Costa Rica noted the importance of having a clear division of

labour between the various United Nations organs, adding that the Security Council was not the only United Nations organ with a role to play in prevention. In addition, he said that the Secretary-General's Special Adviser on the Prevention of Genocide also had an important role to play with regard to early warning and quick response. Costa Rica also highlighted the importance of the fight against impunity and, in this regard, Mr. Gonzalez emphasized the role of the International Criminal Court and deplored that resolution 1593 (2005) had yet to be implemented. In conclusion, Costa Rica stressed the importance of the Council being able and willing to use all means at its disposal to implement the norm of the responsibility to protect.

Netherlands

Mr. Kempeneers observed that in terms of the responsibility to protect, the Council had important roles to play in prevention, intervention (when necessary) and reconstruction, and expressed the hope that the discussion at the meeting could remove some of the misunderstandings surrounding this concept. While noting that military measures were only of little weight within the scope of the responsibility to protect, he held that the possibility of coercive measures was an integral part of the moral imperative of the responsibility to protect. At the same time, he stressed that capacity-building must be a key component of the operationalization of the responsibility to protect, as must the deterrent role, which could be played by the International Criminal Court.

Dr. Edward C. Luck, Special Adviser to the Secretary-General and Senior Vice-President and Director of Studies of the International Peace Institute

Responding to the questions posed by the United States, Dr. Luck noted that while Article 12 of the Charter of the United Nations did entail constraints on General Assembly action on items of which the Council is seized, the Council could delegate authority to the General Assembly on such items. He noted that the first UNEF operation in Sinai had been established following referral by the Council to the General Assembly under "Uniting for peace". In addition, he noted that, according to the Charter, Council seizure of a specific item would not inhibit the Secretary-General, although he would carefully coordinate with the Council on such issues. Dr. Luck suggested that Article 99 of the Charter could encompass the responsibility to protect, as the Secretary-General could inform the Council of any pertinent issues in this regard. Turning to the United States question regarding Somalia, he wished that the responsibility to protect could offer a "magic formula", but acknowledged that the responsibility to protect was more effective at the very early stages of a crisis and in its aftermath. At the same time, he pointed out that the responsibility to protect had the advantage of reminding the international community of ongoing crisis situations, that might not constitute a direct threat to international peace and security or draw the attention of major powers, but where the humanitarian toll of the crisis would clearly warrant international action. Taking note of the statement by Costa Rica that military intervention could only take place as a last resort, Dr. Luck observed that while the use of force was the last preferred option, it should not be viewed as the last resort in a time sequence. In that context, he recalled that preventive use of force had been applied with government consent in both the former Yugoslav Republic of Macedonia and Sierra Leone. He stressed that the international community could not urge early action while postponing military action until the very last minute. He concluded by noting that sometimes countries did need international assistance to strengthen their own sovereignty.

Ambassador Dumisani S. Kumalo, Permanent Representative of South Africa to the United Nations and Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

In conclusion, Ambassador Kumalo expressed the hope that the meeting had been only the beginning of a conversation that would be continued by his successor as Chairman of the Working Group. Stressing the equal importance of all the pillars of the responsibility to protect, he expressed the hope that the Security Council would find a way to contribute to the General Assembly debate on the issue the following year.

Annex II

Briefing by Ambassador D. S. Kumalo, Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to the Security Council on 15 December 2008 (see S/PV.6043)

South Africa assumed the Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa because we felt that this would strengthen the African agenda on peace, security and development. Our overall contribution to this Council was in line with the aims of the Working Group. During our presidency of the Council, we highlighted the need to strengthen the working relationship between the African Union and the United Nations, in particular the Security Council. We hosted thematic debates that brought several heads of State and Government from Africa to the Security Council. Right now, we look forward to a report of the African Union-United Nations panel headed by former Prime Minister Romano Prodi of Italy, which will make concrete proposals on how the United Nations can support the work of the African Union with predictable and sustainable resources.

Regarding the programme of the Working Group, we held four meetings, including a session at which the Under-Secretary-General for Political Affairs, Mr. B. Lynn Pascoe, briefed the Working Group on the reform of the Department of Political Affairs. The briefing provided the Working Group with an opportunity to understand how the Department of Political Affairs sees its role in conflict prevention and resolution efforts.

Another important meeting took place on 1 December 2008 and addressed the concept of responsibility to protect. There were two main purposes for holding the meeting. The first was that the Secretary-General is expected to present his report on the responsibility to protect to the General Assembly early next year, which will then hold a debate on that report. Our deliberations in the Working Group on the concept of responsibility to protect could contribute to that debate, whose objective is, among others, to arrive at a common understanding on issues that are set forth in paragraphs 138 and 139 of the 2005 World Summit Outcome. Second, it was our understanding that the concept of responsibility to protect falls within the mandate of the Working Group. Therefore, it was critical that the meeting be understood within the context of the mandate of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, which set forth to propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the United Nations and regional and subregional organizations. (See S/2002/207, sect. III (iv).)

Finally, I would like to express my deep appreciation for the cooperation of the members of the Working Group on Conflict Prevention and Resolution in Africa in our endeavour to contribute to the successful implementation of the mandate of the Working Group. I also wish to thank the Secretariat for its support throughout the activities of the Working Group.

United Nations S/2008/837

Security Council

Distr.: General
31 December 2008

Original: English

Letter dated 30 December 2008 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the attached letter dated 12 December 2008 from the Permanent Representative of Nepal to the United Nations, Madhu Raman Acharya (see annex), in which he requested, on behalf of his Government, a six-month extension of the current mandate of the United Nations Mission in Nepal from 23 January 2009.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) **Ban** Ki-moon

08-67455 (E) 060109

Annex

Letter dated 12 December 2008 from the Permanent Representative of Nepal to the United Nations addressed to the Secretary-General

Pursuant to Security Council resolution 1740 (2007), subsequently renewed by Security Council resolutions 1796 (2008) and 1825 (2008), the United Nations Mission in Nepal (UNMIN) has been providing support and facilitation to the nationally driven peace process of Nepal.

You are aware that the Government of Nepal is firm in its commitment to further consolidate peace and, in cooperation with all the political actors and other stakeholders, is making steady progress in bringing the peace process towards a logical conclusion in the country. The Government is also making sincere efforts to operationalize, as early as possible, the Special Committee, which, among other things, will also decide on the future of the armed personnel currently living in the cantonments on the basis of the relevant provision of the interim Constitution of Nepal 2007.

On behalf of the Government of Nepal, I would like to request an extension of the current mandate and the related works of UNMIN by another six months, from 23 January 2009. It is our expectation that the staffing and operations of UNMIN may be adjusted accordingly, together with its successive downsizing, as appropriate.

I would like to take this opportunity to express our sincere gratitude for your personal support to the peace process in Nepal and our sincere appreciation to UNMIN for its work and contributions in the mandated areas.

(*Signed*) Madhu Raman **Acharya**
Ambassador
Permanent Representative

United Nations S/2008/838

Security Council

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31 December 2008

Original: English

Letter dated 30 December 2008 from the Secretary-General to the President of the Security Council

With reference to Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), I have the honour to convey the attached letter dated 22 December 2008, which I received from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union, transmitting the fifteenth report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR). The report covers the period from 1 June to 31 August 2008 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-67461 (E) 210109

Annex

Letter dated 22 December 2008 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union addressed to the Secretary-General of the United Nations

In accordance with the provision of United Nations Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), I attach the fifteenth three-monthly report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR). The report covers the period from 1 June to 31 August 2008. I should be grateful if you would transmit the report to the President of the United Nations Security Council.

(*Signed*) Javier **Solana**

Enclosure

Report by the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union on the activities of the European Union military mission (EUFOR) in Bosnia and Herzegovina

I. Introduction

1. This report covers the period 1 June to 31 August 2008.

2. United Nations Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008) request that Member States, acting through or in cooperation with the European Union (EU), report to the Council on the activities of EUFOR, through the appropriate channels and at least at three monthly intervals. This document is the fifteenth such report.

II. Political background

3. The key political event in the reporting period was signature of the Stabilization and Association Agreement (SAA) on 16 June. An interim agreement, which regulates a series of political, economic and technical relations, entered into force on 1 July. In addition, the EU presented a visa liberalization road map to the Bosnian authorities, which sets out the requirements for establishing a visa-free regime between Bosnia and Herzegovina and Schengen States.

4. On 24 and 25 June, the Peace Implementation Council (PIC) Steering Board met to review progress on the five objectives and two conditions (one of which was fulfilled with signature of the SAA) to be delivered by the authorities in Bosnia and Herzegovina in order to allow for closure of the Office of the High Representative (OHR) and transition to a reinforced EU Special Representative (EUSR). While progress was reached on some of these requirements, work remains to be done in others. The PIC Steering Board also reminded Bosnia and Herzegovina political leaders of the need to fully comply with the Dayton Peace Agreement and to avoid inflammatory statements or actions that could threaten or violate the Agreement. Despite this, political parties continued to engage in negative rhetoric and, on occasions, challenged the constitutional order of Bosnia and Herzegovina, in the run up to the 5 October municipal elections.

5. The commemoration season passed off peacefully. The main event — the 11 July Srebrenica commemoration — took place without incident.

III. Security situation and EUFOR activities

6. The overall security situation in Bosnia and Herzegovina remained calm and stable throughout the reporting period. Although nationalistic rhetoric continued, it had no impact on the safe and secure environment. EUFOR continues to closely monitor the overall security situation.

7. The force of some 2,500 EUFOR troops is concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina. EUFOR continues to conduct operations in line with its mandate: providing deterrence; ensuring continued compliance in relation to the responsibilities specified in the General Framework Agreement for Peace, annexes 1a and 2; and

contributing to the maintenance of the safe and secure environment. EUFOR continues to support the Bosnia and Herzegovina law enforcement agencies in fighting organized crime in close cooperation with the EU Police Mission; and the International Criminal Tribunal for the former Yugoslavia (ICTY) in the search for persons indicted for war crimes (PIFWCs).

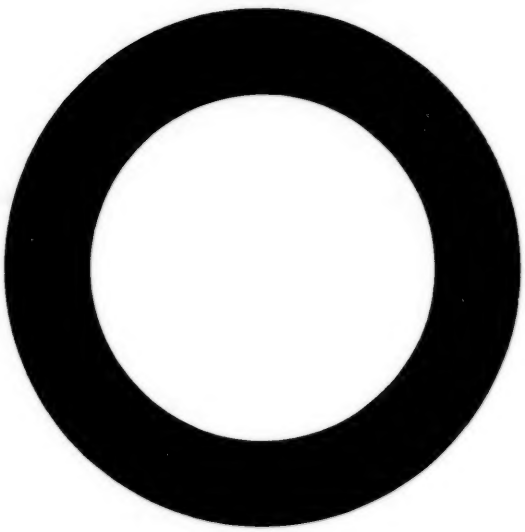
8. During the reporting period, EUFOR, in response to ICTY requests, and with the support of NATO and local police, intensified search operations against PIFWC support networks. The Serbian authorities arrested Stojan Zuplijanin in June; and Radovan Karadzic in July. Although the latter's arrest led to some minor incidents in Bosnia and Herzegovina, these were capably handled by local police. EUFOR was not requested to assist, but remained ready to do so if necessary.

9. There was further progress during the period in the area of Joint Military Affairs. Responsibility for the management of the radio frequency spectrum allocated to defence services in Bosnia and Herzegovina was transferred to the Bosnia and Herzegovina Ministry of Defence on 31 July. EUFOR and the Armed Forces of Bosnia and Herzegovina (AF BiH) continued to conduct joint inspections of AF BiH ammunition storage sites, as a result of which more than 33,000 out of 36,000 tons of ammunition have now been inspected. EUFOR also continued to assist and support AF BiH with ammunition disposal. 1,580 small arms and light weapons were transported to a collection point in Banja Luka for destruction. The destruction was financed by the United Nations, through the United Nations Development Programme small arms control project in Bosnia and Herzegovina (SACBIH). Finally, and as previously reported, EUFOR has made the necessary technical preparations on Civilian Movement Control (control of the movement of weapons and ammunition by Bosnia and Herzegovina contractors), and is ready to hand over responsibility to the Bosnia and Herzegovina authorities once they have adopted the necessary legislation and established suitable arrangements for implementation.

10. During the reporting period, EUFOR and AF BiH continued further to develop combined training. In July EUFOR and the BiH Ministry of Defence signed a memorandum of understanding covering the participation of the Armed Forces of Bosnia and Herzegovina in EUFOR exercises.

IV. Outlook

11. The security situation is expected to remain stable despite the prospects of continuing political tension, particularly in the run-up to the 5 October municipal elections.



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Security Council

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31 December 2008

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Letter dated 31 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1737 (2006) (see annex), which covers the Committee's activities during the period from 1 January to 31 December 2008. The report is submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Jan **Grauls**
Chairman
Security Council Committee established
pursuant to resolution 1737 (2006)

08-67544 (E) 150109

Annex

Report of the Security Council Committee established pursuant to resolution 1737 (2006)

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1737 (2006) covers the period from 1 January to 31 December 2008.

2. From 1 January to 3 June 2008, the bureau consisted of Johan C. Verbeke (Belgium) as Chairman, with the delegations of Burkina Faso and Costa Rica providing the Vice-Chairmen. From 4 June to 31 December 2008, the bureau consisted of Jan Grauls (Belgium) as Chairman, with the delegations of Burkina Faso and Costa Rica continuing to provide the Vice-Chairmen.

3. During the reporting period, the Committee held five informal consultations. The web page of the Committee is available at: www.un.org/sc/committees/1737/index.shtml.

II. Background information

4. By its resolution 1737 (2006), the Security Council imposed certain measures relating to the Islamic Republic of Iran. These included a proliferation-sensitive nuclear-activities-related and nuclear weapon delivery systems-related embargo and targeted measures, including an assets freeze and a travel notification requirement imposed on persons and entities designated in the annex to the resolution and on any additional persons and entities designated by the Council or the Committee. The assets freeze also applies to the assets of persons or entities acting on behalf of or at the direction of designated persons or entities and of entities owned or controlled by them. In addition, the Council called upon all States to prevent specialized teaching or training of Iranian nationals in disciplines that would contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities and the development of nuclear weapon delivery systems.

5. The Security Council Committee established pursuant to resolution 1737 (2006) was entrusted with undertaking the tasks set out in paragraph 18 of the resolution: to seek from States information regarding the actions taken by them to implement effectively the relevant measures and whatever further information it might consider useful in that regard; to seek from the International Atomic Energy Agency (IAEA) information regarding the actions taken by the Agency to implement effectively the relevant measures concerning the technical cooperation provided to the Islamic Republic of Iran by the Agency and whatever further information it might consider useful in that regard; to examine and take appropriate action on information regarding alleged violations of the relevant measures of resolution 1737 (2006); to consider and decide upon requests for exemptions from the relevant measures; to determine as may be necessary additional items the supply of which to the Islamic Republic of Iran would be prohibited; to designate as may be necessary additional individuals and entities as subject to the assets freeze and the travel notification requirement; to promulgate guidelines as may be necessary; and to report at least every 90 days to the Council.

6. By its resolution 1747 (2007), the Security Council imposed additional measures relating to the Islamic Republic of Iran. These included a ban on the export of arms and related materiel from the Islamic Republic of Iran, the designation of additional persons as subject to the assets freeze and to the travel notification requirement, and the designation of additional entities as subject to the assets freeze. In addition, the Council called upon all States to exercise vigilance and restraint in the supply of the seven categories of conventional weapons as defined for the purposes of the United Nations Register of Conventional Arms and related services to the Islamic Republic of Iran, and called upon all States and international financial institutions not to enter into new commitments for grants, financial assistance and concessional loans to the Government of the Islamic Republic of Iran, except for humanitarian and development purposes.

7. By its resolution 1803 (2008), the Security Council imposed further measures relating to the Islamic Republic of Iran. These included the broadening of the scope of the proliferation-sensitive nuclear activities and nuclear weapons delivery systems-related embargo, the introduction of a travel ban on persons designated in an annex to the resolution as well as on any additional persons designated by the Council or the Committee, and the expansion of the lists of persons and entities subject to the assets freeze and of persons subject to the travel notification requirement.

8. In addition, the Security Council called upon all States to exercise vigilance with regard to publicly provided financial support for trade with the Islamic Republic of Iran and activities of their financial institutions with banks in the Islamic Republic of Iran, and, in accordance with States' national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant civil aviation agreements, to inspect the cargoes to and from the Islamic Republic of Iran of aircraft and vessels, at their airports and seaports, owned or operated by two Iranian companies, provided that there were reasonable grounds to believe that the aircraft or vessel was transporting goods prohibited under resolution 1737 (2006), resolution 1747 (2007) or resolution 1803 (2008). In cases when the aforementioned inspection of cargoes is undertaken, the Council requires all States to submit to it within five working days a written report on the inspection.

9. By its resolution 1803 (2008), the Security Council also broadened the scope of the Committee's mandate as set out in paragraph 18 of resolution 1737 (2006) to include the measures imposed by resolutions 1747 (2007) and 1803 (2008).

10. By its resolution 1835 (2008), the Security Council reaffirmed resolutions 1737 (2006), 1747 (2007) and 1803 (2008), as well as resolution 1696 (2006), and also reaffirmed its commitment to an early negotiated solution through a dual-track approach to the Iranian nuclear issue and welcomed the continuing efforts in that regard. The Council also called upon the Islamic Republic of Iran to comply fully and without delay with its obligations under the four aforementioned resolutions and to meet the requirements of the IAEA Board of Governors.

III. Summary of the activities of the Committee

Revision of the guidelines of the Committee

11. The guidelines of the Committee for the conduct of its work were initially adopted on 30 May 2007. During informal consultations on 18 March and 15 April 2008, the members of the Committee discussed a revised text with a view to incorporating the relevant provisions of resolution 1803 (2008), which had been adopted on 3 March. The Committee approved the revised text on 24 April 2008 (see press release SC/9308). The guidelines, as revised, are available on the Committee's web page.

Consolidation of the lists of persons and entities

12. During informal consultations on 18 March and 15 April 2008, the members of the Committee also discussed consolidating into a single document the lists of names of persons and entities subject to the travel ban, travel notification requirement and/or assets freeze contained in the annexes to three separate resolutions of the Security Council: 1737 (2006), 1747 (2007) and 1803 (2008). The Committee approved the consolidated document on 24 April 2008 (see press release SC/9307). The consolidated list of these persons and entities is available on the Committee's web page.

Information sought and received from the International Atomic Energy Agency

13. In subparagraph 18 (b) of its resolution 1737 (2006), the Security Council tasked the Committee with seeking from the IAEA secretariat information regarding the actions taken by the Agency to implement effectively the measures imposed by paragraph 16 of the resolution, which defined the scope of the technical cooperation provided by IAEA to the Islamic Republic of Iran, and whatever further information it might consider useful in that regard.

14. On 27 March 2008, more than seven months after the receipt, on 22 August 2007, of the initial update to the report of IAEA of 9 February 2007, which had been transmitted to the Committee on 8 March 2007 (GOV/2007/7), the Committee invited the Agency to provide a further update to that report. In a letter dated 18 April 2008, IAEA informed the Committee that no projects had been added to its technical cooperation programme with the Islamic Republic of Iran since the issuance of its report, and provided an update on technical cooperation and technical assistance activities since 22 August 2007. Three requests for technical cooperation had been considered to be covered and had proceeded; two others had not. Forty-four requests for participation in technical assistance activities had been deemed to be in conformity with resolution 1737 (2006), whereas a further eight requests had not.

Implementation reports, briefings and other communications received from Member States

15. By paragraph 19 of its resolution 1737 (2006), the Security Council decided that all States would report to the Committee within 60 days of the adoption of that resolution on the steps they had taken with a view to implementing effectively paragraphs 3 to 8 and 10, 12 and 17 of the resolution. In paragraph 8 of resolution 1747 (2007), the Council called upon all States to report to the Committee within

60 days of the adoption of that resolution on the steps they had taken with a view to implementing effectively paragraphs 2 and 4 to 7 of the resolution. In paragraph 13 of resolution 1803 (2008), the Council called upon all States to report to the Committee within 60 days of the adoption of that resolution on the steps they had taken with a view to implementing effectively paragraphs 3, 5 and 7 to 11 of the resolution.

16. In a note verbale dated 27 March 2008, the Chairman of the Committee drew the attention of all Member States to paragraph 13 of resolution 1803 (2008). The note verbale — the fourth in a series — also served as a reminder to States that had not reported pursuant to the two previous resolutions that the deadlines set by those resolutions had passed. Those States were encouraged to submit separate reports pursuant to resolution 1737 (2006) and resolution 1747 (2007) — or a combined report pursuant to both resolutions — as well as resolution 1803 (2008). The Chairman also informed States that submissions pursuant to resolution 1737 (2006) and/or resolution 1747 (2007) that had already been received and published could be found on the Committee's web page, and that the Committee stood ready to consider any requests for guidance on future submissions.

17. Furthermore, on 19 May 2008, the members of the Committee agreed to post an informal guidance paper on the Committee's web page in order to assist Member States in writing their national reports. The informal paper was reviewed by the members of the Committee but was not endorsed by the Committee. The use of the paper is entirely optional.

18. By the end of the reporting period, the Committee had received 90 reports pursuant to resolution 1737 (2006), 77 reports pursuant to resolution 1747 (2007) and 63 reports pursuant to resolution 1803 (2008). Of those reports, some were combined under two or three resolutions. The reports were issued as official United Nations documents, unless a State requested that its report be kept confidential (see appendix for details).

19. Paragraphs 3 and 4 of resolution 1737 (2006) and paragraph 8 of resolution 1803 (2008) relate to the prohibition on the supply, sale or transfer of items, materials, equipment, goods and technology to the Islamic Republic of Iran that could contribute to enrichment-related, reprocessing or heavy-water-related activities, or to the development of nuclear weapon delivery systems, and to the prohibition on the transfer of any further items that, as determined by the State, would contribute to the pursuit of activities related to other topics about which IAEA had expressed concerns or which IAEA had identified as outstanding. During informal consultations on 15 October 2008, a member of the Committee provided a briefing on its efforts to implement the provisions set out in those paragraphs.

20. In paragraph 10 of its resolution 1803 (2008), the Security Council called upon all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in the Islamic Republic of Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006). During informal consultations on 10 September 2008, a member of the Committee provided a briefing on its efforts to implement the provisions of that paragraph.

21. Also in connection with paragraph 10 of resolution 1803 (2008), two letters addressed to the President of the Security Council and subsequently issued as documents of the Council — the first submitted jointly by three Member States on 1 August (S/2008/520) and the second submitted by the Islamic Republic of Iran on 15 August (S/2008/554) — were circulated to the members of the Committee for their information. The letter from the three States, which was copied to the Chairman of the Committee, contained a list of banks domiciled in the Islamic Republic of Iran and their branches and subsidiaries abroad. The list was intended to assist States in their implementation of paragraph 10 of resolution 1803 (2008). The letter from the Islamic Republic of Iran was a direct response to the letter from the three States.

Notifications and requests for exemptions received from Member States and IAEA

22. By paragraph 5 of its resolution 1737 (2006), the Security Council required States to notify the Committee of the supply, sale or transfer of all items, materials, equipment, goods and technology covered by document S/2006/814 the export of which to the Islamic Republic of Iran is not prohibited by subparagraph 3 (b) of resolution 1737 (2006). During the period under review, the Committee received eight notifications of the supply of items relevant to the construction of the nuclear power plant in Bushehr, Islamic Republic of Iran, with reference to paragraph 5. During informal consultations on 15 October 2008, the Committee also received a briefing from a State in connection with a project, which fell within the scope of the provisions on IAEA cooperation as described in paragraph 16 of resolution 1737 (2006), aimed at strengthening the effectiveness of the regulatory oversight of the safety at that nuclear power plant.

23. Subparagraphs 13 (a) and 13 (b) of resolution 1737 (2006) provide for exemptions to the assets freeze, for basic expenses and extraordinary expenses respectively, as determined by the relevant States and subject to a Committee decision. In 2008, the Committee received and granted two requests for exemptions under subparagraph 13 (b).

24. Subparagraph 13 (d) of resolution 1737 (2006) provides for an exemption to the assets freeze for activities directly related to the items specified in subparagraphs 3 (b) (i) and (ii) of the resolution, which have been notified by the relevant States to the Committee. In 2008, the Committee received one such notification from IAEA.

25. Paragraph 15 of resolution 1737 (2006) provides for an exemption to the assets freeze for making or receiving payments, or authorizing the unfreezing of funds, in connection with contracts entered into prior to the listing of persons and entities referred to in the annexes to resolutions 1737 (2006), 1747 (2007) and 1803 (2008), which have been notified by the relevant States to the Committee. In 2008, the Committee received four such notifications.

Ninety-day reports to the Security Council

26. Under the provisions of subparagraph 18 (h) of resolution 1737 (2006), the Chairman must report to the Security Council at least every 90 days on the Committee's activities. Accordingly, the Chairman briefed the Council on 17 March,

13 June, 11 September and 10 December 2008 (see S/PV.5853, S/PV.5909, S/PV.5973 and S/PV.6036).

Responses to queries received from Member States

27. As part of its role of monitoring the implementation of the measures imposed by the Security Council by resolutions 1737 (2006), 1747 (2007) and 1803 (2008), the Committee responded to four written queries received from Member States.

IV. Violations and alleged violations of the sanctions regime

28. During informal consultations on 28 April 2008, it was brought to the Committee's attention that, as reported in the media, a Government had made a public statement that there had been a contravention of resolutions 1747 (2007) and 1803 (2008) on its territory with respect to the export ban on arms and related material from the Islamic Republic of Iran. On 9 May 2008, the Committee approved the dispatch of letters to the States concerned seeking clarifications and additional information. The Committee received a reply, dated 20 June 2008, from only the State that had made the announcement, providing an explanation of the actions taken by that State to address the situation and containing assurances that that State would continue to fully implement the relevant resolutions.

V. Observations and conclusions

29. The primary responsibility for the implementation of the measures imposed by the Security Council rests with Member States. For its part, in facilitating and monitoring the implementation of the relevant measures, the Committee will continue to discharge its mandate as effectively and efficiently as possible, and it stands ready to consider any proposals that fall within its purview.

Appendix

List of reports received from Member States pursuant to paragraph 19 of resolution 1737 (2006), paragraph 8 of resolution 1747 (2007) and paragraph 13 of resolution 1803 (2008)

	Reports pursuant to resolution 1737 (2006)	*Reports pursuant to resolution 1747 (2007)*	*Reports pursuant to resolution 1803 (2008)*
Albania	S/AC.50/2007/9		
Algeria	S/AC.50/2007/65 (combined report)		
Andorra	S/AC.50/2007/50		
Argentina	S/AC.50/2007/57	S/AC.50/2007/57/Add.1 and 2	S/AC.50/2008/60
Australia	S/AC.50/2007/27	S/AC.50/2007/70	S/AC.50/2008/19
Austria	S/AC.50/2007/11	S/AC.50/2007/66	S/AC.50/2008/2
Azerbaijan	S/AC.50/2007/107 (combined report)		S/AC.50/2008/44
Bahrain	S/AC.50/2007/67	S/AC.50/2007/121	S/AC.50/2008/12 and Add.1
Bangladesh	S/AC.50/2007/47		
Belarus	S/AC.50/2007/41	S/AC.50/2007/77	S/AC.50/2008/16
Belgium	S/AC.50/2007/10	S/AC.50/2007/74	S/AC.50/2008/14
Brazil	S/AC.50/2007/26	S/AC.50/2007/82	S/AC.50/2008/63
Brunei Darussalam	S/AC.50/2008/1 (combined report)		S/AC.50/2008/64
Bulgaria	S/AC.50/2007/2 and Add.1	S/AC.50/2007/108 and Add.1	S/AC.50/2008/11
Cambodia	S/AC.50/2007/125		
Canada	S/AC.50/2007/33	S/AC.50/2007/75	S/AC.50/2008/5
China	S/AC.50/2007/22	S/AC.50/2007/99	S/AC.50/2008/18
Costa Rica	S/AC.50/2007/71 (combined report)		
Croatia	S/AC.50/2007/15	S/AC.50/2007/117	S/AC.50/2008/61
Cuba	S/AC.50/2007/38	S/AC.50/2007/89	S/AC.50/2008/38
Cyprus	S/AC.50/2007/128 (combined report)		S/AC.50/2008/65
Czech Republic	S/AC.50/2007/14		
Denmark	S/AC.50/2007/13	S/AC.50/2007/85	
Ecuador	S/AC.50/2007/129 (combined report)		
Egypt	S/AC.50/2007/59	S/AC.50/2007/68	S/AC.50/2008/3
Estonia	S/AC.50/2007/49	S/AC.50/2007/113	

	Reports pursuant to resolution 1737 (2006)	*Reports pursuant to resolution 1747 (2007)*	*Reports pursuant to resolution 1803 (2008)*
Finland	S/AC.50/2007/19	S/AC.50/2007/97	S/AC.50/2008/26
France	S/AC.50/2007/17	S/AC.50/2007/84	S/AC.50/2008/39
Georgia	S/AC.50/2007/29		
Germany	S/AC.50/2007/37	S/AC.50/2007/98	S/AC.50/2008/15
Germany (on behalf of the European Union)	S/AC.50/2007/28		
	S/AC.50/2007/105 (combined report)		
Ghana	S/AC.50/2007/136		
Greece	S/AC.50/2007/60	S/AC.50/2007/122	
Grenada	S/AC.50/2007/140		
Guatemala	S/AC.50/2007/100 (combined report)		S/AC.50/2008/33
Hungary	S/AC.50/2007/81 (combined report)		S/AC.50/2008/59
India	S/AC.50/2007/20	S/AC.50/2007/123	S/AC.50/2008/49
Indonesia	S/AC.50/2007/5		S/AC.50/2008/10
Israel	S/AC.50/2007/141(combined report)		
Italy	S/AC.50/2007/25	S/AC.50/2007/103	S/AC.50/2008/47
Jamaica			S/AC.50/2008/21
Japan	S/AC.50/2007/16	S/AC.50/2007/79	S/AC.50/2008/24
Jordan	S/AC.50/2007/119 (combined report)		S/AC.50/2008/17
Kazakhstan	S/AC.50/2007/39	S/AC.50/2007/102	S/AC.50/2008/36
Kuwait	S/AC.50/2007/118 (combined report)		S/AC.50/2008/57 and Add. 1
Kyrgyzstan	S/AC.50/2007/53	S/AC.50/2008/50	S/AC.50/2008/53
Latvia	S/AC.50/2007/62	S/AC.50/2007/91	
Libyan Arab Jamahiriya	S/AC.50/2007/61	S/AC.50/2007/69	S/AC.50/2008/51
Liechtenstein	S/AC.50/2007/31		S/AC.50/2008/27
Lithuania	S/AC.50/2007/34	S/AC.50/2007/90	S/AC.50/2008/55
Luxembourg	S/AC.50/2007/64		
Malta	S/AC.50/2007/7	S/AC.50/2007/63	S/AC.50/2008/35
Mauritius	S/AC.50/2007/35 and Add.1	S/AC.50/2007/106	S/AC.50/2008/58
Mexico	S/AC.50/2007/58	S/AC.50/2007/94	S/AC.50/2008/45
Monaco	S/AC.50/2007/130	S/AC.50/2007/126	

	Reports pursuant to resolution 1737 (2006)	*Reports pursuant to resolution 1747 (2007)*	*Reports pursuant to resolution 1803 (2008)*
Netherlands	S/AC.50/2007/48	S/AC.50/2007/73	S/AC.50/2008/32
New Zealand	S/AC.50/2007/36	S/AC.50/2007/132	S/AC.50/2008/22
Niger	S/AC.50/2007/135 (combined report)		
Norway	S/AC.50/2007/6	S/AC.50/2007/93	S/AC.50/2008/4
Oman		S/AC.50/2008/62	
Pakistan	S/AC.50/2007/12	S/AC.50/2007/96	S/AC.50/2008/6
Panama	S/AC.50/2007/139 (combined report)		
Peru	S/AC.50/2007/44	S/AC.50/2007/86	S/AC.50/2008/41
Philippines	S/AC.50/2007/137 (combined report)		
Poland	S/AC.50/2007/43	S/AC.50/2007/95	S/AC.50/2008/37
Portugal	S/AC.50/2007/56	S/AC.50/2007/111	S/AC.50/2008/30
Qatar	S/AC.50/2007/24 and Add.1	S/AC.50/2007/87	S/AC.50/2008/25
Republic of Korea	S/AC.50/2007/51	S/AC.50/2007/115	S/AC.50/2008/28
Republic of Moldova	S/AC.50/2007/127 (combined report)		
Romania	S/AC.50/2007/30	S/AC.50/2007/101	S/AC.50/2008/52
Russian Federation	S/AC.50/2007/8 and Add.1	S/AC.50/2007/92 and Add.1	S/AC.50/2008/13 and Add.1
Saudi Arabia	S/AC.50/2007/120		S/AC.50/2008/56
Serbia	S/AC.50/2007/52	S/AC.50/2007/131	
Singapore	S/AC.50/2007/45	S/AC.50/2007/116	S/AC.50/2008/43
Slovakia	S/AC.50/2007/42	S/AC.50/2007/78	S/AC.50/2008/9
Slovenia	S/AC.50/2007/23		S/AC.50/2008/54
South Africa	S/AC.50/2007/4	S/AC.50/2008/40	
Spain	S/AC.50/2007/55	S/AC.50/2007/112	S/AC.50/2008/46
Sri Lanka		S/AC.50/2007/133	
Suriname	S/AC.50/2007/138 (combined report)		
Sweden	S/AC.50/2007/21	S/AC.50/2007/83	
Switzerland	S/AC.50/2007/40	S/AC.50/2007/109	S/AC.50/2008/20
Thailand	Not published	Not published	S/AC.50/2008/29
The former Yugoslav Republic of Macedonia	S/AC.50/2007/1	S/AC.50/2007/114	S/AC.50/2008/42

	Reports pursuant to resolution 1737 (2006)	*Reports pursuant to resolution 1747 (2007)*	*Reports pursuant to resolution 1803 (2008)*
Turkey	S/AC.50/2007/32		
Ukraine	S/AC.50/2007/80 and Add.1 (combined report)		S/AC.50/2008/7
United Arab Emirates	S/AC.50/2007/46	S/AC.50/2007/104	
United Kingdom of Great Britain and Northern Ireland	S/AC.50/2007/3	S/AC.50/2007/72	S/AC.50/2008/31
United States of America	S/AC.50/2007/18	S/AC.50/2007/88	S/AC.50/2008/34
Uruguay	S/AC.50/2007/134 and Add.1		S/AC.50/2008/8
Uzbekistan	S/AC.50/2007/124 (combined report)		S/AC.50/2008/23
Viet Nam	S/AC.50/2007/54	S/AC.50/2007/110	S/AC.50/2008/48
Yemen	S/AC.50/2007/76		